

**ANNUAL ACTIVITY  
REPORT 2012**



# Annual activity report 2012



**FRA**

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS



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# Annual activity report 2012



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# 1

## Achievements by areas of activity



### 1.1. FRA achievements in 2012

#### 1.1.1. Providing evidence-based advice

FRA's core objective is to provide the European Union (EU) institutions and Member States with advice based on robust and comparable evidence on the range of fundamental rights issues included in its Multi-annual Framework (MAF).



In 2012, FRA worked closely with EU and national policy makers on issues concerning migration, asylum and borders. The agency shared the results of its work on the treatment of third-country nationals crossing the EU's borders at sea, land and airports. FRA also worked closely with the EU's border agency, Frontex, and the EU asylum agency, the

European Asylum Support Office (EASO), supporting their efforts to respect fully fundamental rights and assisting them on operational issues, such as developing fundamental rights training for border guards and improving age assessment procedures for asylum seeking minors.

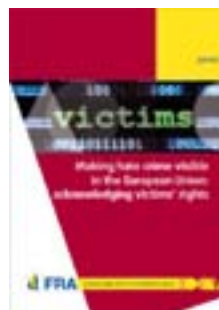
On issues of privacy and data protection, FRA completed in 2012 its research on judicial redress mechanisms supporting the work of the European Commission and national authorities, as well as the work of the European Data Protection Supervisor. FRA also prepares with the European Court of Human Rights (ECtHR) a handbook for judges on European data protection law.

FRA published the first results of the FRA Roma pilot survey and the United Nations Development Programme



(UNDP)/World Bank/European Commission regional Roma survey, carried out in 2011, on 21 May 2012. The results were used in the European Commission's assessment of the national strategies to improve the socio-economic situation of the Roma and the protection of their fundamental rights published in its communication on

*National Roma integration strategies: a first step in the implementation of the EU Framework.* To provide more targeted support, FRA created a working party with 11 EU Member States to improve the monitoring of the EU's framework and national strategies implementation. Furthermore, FRA works closely together with the Council of Europe, as well as United Nations (UN) organisations, such as UNDP and the World Bank, on Roma integration issues.



In November 2012, FRA released two reports on hate crime, which provide a comparative analysis of the existing legal framework, individual experiences of crime with a bias motivation and the state of official data collection throughout the 27 EU Member States. These reports show that victims and witnesses of hate crimes are reluctant to report

them, whether to authorities or civil society organisations. As a result, many crimes go unreported and are not prosecuted. The results of this work support the ongoing efforts of the European Commission to improve statistics on hate crime and provide useful advice to national authorities, also through sharing a range of promising practices in different Member States.

This work is complemented in 2013 through the publication of the results of two unique online surveys: one providing data on experiences of Jewish people of antisemitic hate crime and hate speech; and one on experiences of lesbian, gay, bisexual and transgender (LGBT) persons on homophobic hate crime and hate speech. The survey results will be shared and discussed with EU and national policy makers to identify ways of improving hate crime and hate speech reporting by victims, recording by the police and prosecuting by judicial authorities.

In 2012, FRA conducted an ambitious project on child-friendly justice in close cooperation with the European Commission interviewing hundreds of professionals, judges, prosecutors, case workers and others. While collecting the data through interviews, FRA also shared with the respondents the Council of Europe Guidelines on child-friendly justice, in order to familiarise them with the European standard for the treatment of children in judicial procedures and help them improve their daily practice to make it more child friendly.

FRA continued its work on access to justice through sharing the results of its overview of justice mechanisms and barriers with respect to non-discrimination. In 2012, FRA published its second report on access to justice examining in detail the operation of complaints and support mechanisms. The agency shared the evidence contained in the two reports on access to justice with the European Commission and national equality authorities to identify ways of improving reporting and handling of discrimination cases in more targeted and efficient ways. In parallel, FRA worked closely with the European Commission to identify the evidence necessary to improve policies on the respect and protection of the rights of victims of crime. In this regard, the surveys on Roma, Jewish people and LGBT persons, as well as the forthcoming results of the survey on violence against women, provide the type of robust evidence that allow the FRA to build sound conclusions and opinions to inform and support EU and national policy making.

### 1.1.2. Collecting and analysing data



A core task of FRA is to collect and analyse primary and secondary data to develop robust and evidence-based conclusions and opinions for its key stakeholders at both EU and national level. Research activities are interdisciplinary articulating legal, policy and sociological analysis.

These activities are carried out in two of FRA's departments that work closely together so that results in one area, for example on racism, inform the analysis

in other areas, for instance asylum and migration. The nature of these projects often means that they need to span into multi-annual rolling projects, when addressing more resource demanding issues or when substantial fieldwork research needs to be undertaken.

FRA's research is policy driven and needs to be policy relevant. The collection and analysis of data is, therefore, operationally linked to consultation with EU and national policy makers, FRA's primary stakeholders, as well as relevant civil society actors. This ensures that the analysis, and the advice resulting from it, is guided and thus relevant and useful to policy needs.

FRA collects data as secondary source information, either directly from national sources through its network of national focal points (Franet) or from Eurostat and other EU sources. Past work of FRA showed that data relevant to its work, for example on hate crime or discrimination, is often not available at national or EU level. Therefore, FRA undertakes primary fieldwork research to fill this knowledge gap in key areas utilising robust, scientific methods. Projects outlined below in different areas show the range of methods and research strategies employed by FRA.

### 1.1.3. Communication and awareness raising

To contribute to FRA's overall task of providing assistance and expertise, the agency's founding regulation (Council Regulation (EC) No. 168/2007) entrusts FRA with two communication tasks: dissemination of the results of FRA's work and awareness raising.

Based on agreed key themes for a year, and taking into account ongoing projects, FRA develops early on a 'Communication and Cooperation Plan' that gives an overview of all external FRA activities with a communication or cooperation component, including report launches and key events.

In 2012, FRA published numerous project reports, factsheets and other deliverables. For each project, FRA planned the communication strategy and type of deliverables at the outset. Factsheets for policy makers, media dossiers and press release information accompanied every report launch. Key stakeholders received pre-publication copies of reports ahead of public launches.

In addition to publications and its online presence, FRA carried out specific awareness-raising activities. These included information stands at key events for both the general public and specific target groups. FRA produced monthly newsletters for all its e-subscribers, as well as a weekly information email for FRA networks. Media coverage of FRA publications also helped raise





awareness about fundamental rights across the EU and beyond. FRA held five training seminars with journalists based on its media diversity toolkit.

In 2012, FRA re-launched its website with a new design and structure. The FRA Facebook page doubled the number of its followers to 7,000 within one year. The FRA presence on Twitter and YouTube reached an ever wider audience, with more than 3,000 Twitter followers.

#### 1.1.4. Cooperation

##### 1.1.4.1. Engaging with stakeholders

In 2012, FRA engagement with stakeholders developed in three complementary directions. The aim continued to engage: those responsible for policy development and decisions; those responsible for monitoring implementation and impact; and those who benefit from these policies and actions. These three directions reflect FRA's evidence-based advisory role, under which it seeks to draw on the experience, knowledge and expertise of all those involved to support effective and tangible results.

FRA's primary stakeholders remained EU institutions and bodies, as well as Member State governments and bodies competent in human rights at national level, such as National Human Rights Institutions (NHRIs), equality bodies and ombuds institutions. In addition, FRA continued to coordinate its work closely with the Council of Europe and other international organisations. FRA cooperated with civil society both through the FRA Fundamental Rights Platform and within its research projects.

FRA consulted with these primary stakeholders as part of its day-to-day work and when defining its work programme activities. FRA also cooperated with relevant stakeholders in the context of designing, implementing and assessing the impact of its projects. This consultation sought to ensure that FRA's work was of direct relevance to the EU policy making agenda on fundamental rights.

The cooperation, consultation and coordination with the EU institutions involved, among other things, frequent participation in hearings of the European Parliament and meetings of the Council of the European Union and its preparatory bodies. FRA engaged in ongoing interaction at a variety of levels with the European Commission, to provide data and information on fundamental rights. The agency maintained an annual dialogue on multi-level protection of fundamental rights with the EU's Committee of the Regions.

Through the Fundamental Rights Platform, FRA also worked closely with the Council of Europe, NHRIs,

equality bodies and ombuds institutions, representatives of the United Nations (UN) and the Organization for Security and Co-operation in Europe (OSCE) and civil society organisations.

Cooperation with NHRIs and equality bodies, including the European Network of Equality Bodies (Equinet) and the European Group of NHRIs, was further strengthened, and cooperation with ombuds institutions begun. FRA focused on stakeholder engagement activities based on thematic FRA projects.

FRA continued to cooperate with civil society organisations through the annual Fundamental Rights Platform meeting, with 160–180 civil society organisations participating, as well as through thematic projects. The annual platform meeting offered a unique opportunity to discuss key EU fundamental rights issues, exchange knowledge and explore further possibilities for collaboration in the context of FRA work. The platform also provided input to the FRA Annual Report.

FRA organised a number of dedicated conferences and events to engage key stakeholders in discussions on specific findings from FRA research to facilitate follow-up action. The FRA flagship conference, the annual Fundamental Rights Conference, was organised at the European Parliament, in cooperation with the Parliament and the Cypriot Presidency of the Council of the EU. The conference focused on access to justice and brought together more than 400 stakeholders from national governments, EU bodies, intergovernmental organisations, local authorities, social partners, civil society and specialised bodies on human rights.

FRA also co-organised a seminar with the Danish Presidency of the Council of the European Union on the Charter of Fundamental Rights of the European Union.

FRA believes that better policy making and decisions arise from interaction with, and participation of, all those who are involved and benefit from the policy and action – be it indirectly as policy makers, or directly as end beneficiaries. Therefore, each FRA project develops avenues of engagement with stakeholders who are relevant to the project topic and scope. Through this interaction throughout the life-cycle of any given project, FRA ensures that its activities can build on existing knowledge and expertise, and that project findings are relevant and useful for FRA stakeholders. At its meetings, the agency applies interactive, participatory methods to generate quality input and to create ownership among stakeholders participating in these events.

##### 1.1.4.2. Cooperation with other EU agencies

In 2012, FRA further developed its relations with other EU agencies, in particular with agencies active in the

areas of justice and home affairs: the EU's specialised body to coordinate border security operations (Frontex), Eurofound, the European Institute for Gender Equality (EIGE), the EU's law enforcement agency (Europol), the European police college (Cepol) and the European Asylum Support office (EASO).

FRA is a member of the Justice and Home Affairs agencies' contact group. The aim of the contact group is to strengthen bilateral and multilateral coordination and cooperation. This serves to identify annual priority areas, to establish a work programme for the year and to jointly report the activities to the EU Council's Standing Committee on Operational Cooperation on Internal Security (COSI).

In the context of this cooperation, FRA helped develop policy and training documents relating to fundamental rights. FRA observed and provided feedback to Frontex on patrols carried out at sea during joint maritime operations. FRA also advised Frontex on the operation of the Consultative Forum, which was introduced with the revised Frontex Regulation. A FRA staff member was elected to chair the Consultative Forum.

## 1.2. Main achievements by areas of activity

### 1.2.1. Asylum, immigration and integration of migrants

#### Activities implemented in 2012

The overall goal of FRA was to bring research findings to policy makers, primarily at the EU level. It also evaluated input provided to policy makers from past research work in the field of asylum and irregular migration.

Given the broad scope of the subject, FRA prioritised certain areas, specifically the rights of migrants in an irregular situation as well as detention and return.

In 2012, FRA pursued two projects: the 'Fundamental Rights of Irregular Migrants in the European Union' and the 'Handbook on European law in the field of asylum, immigration and border control'.

With the first, FRA built on the conclusions of the 2011 Fundamental Rights Conference, with two meetings dedicated to the fundamental rights impact of practices to detect or report irregular migrants on 2 March and 4 May. Meeting participants discussed practices to detect irregular migrants which may disproportionately discourage them from accessing essential services, such as health, education and legal services. Together with national immigration law enforcement authorities,

FRA developed operational guidance – a list of 'dos and don'ts' – on fundamental rights considerations for apprehending migrants in an irregular situation. It presented the guidance on 26 September (Doc. 13847/12) to the Council Working Party on Integration, Migration and Expulsion and on 28 September to the Contact Committee of EU Member State representatives, which the European Commission convenes under the Return Directive.

Health professionals discussed the right to healthcare by migrants in an irregular situation to identify further steps that FRA could take in facilitating non-discriminatory access. They encouraged FRA to look at the costing of providing full access to healthcare as compared to providing only emergency treatment. FRA initiated pilot research to that effect in 2012.

FRA shared the findings of the research on irregular migrants at five events, three organised by civil society organisations in Athens, Brussels and Nicosia, a government-sponsored conference in Stockholm and a conference organised by the Committee of the Regions in December 2012.

The second project's main deliverable is a handbook on asylum, immigration and border control, prepared together with the European Court of Human Rights. FRA and the court are currently finalising the draft, which was submitted for translation into 10 languages in December 2012. EASO and Frontex commented on the draft.

In 2012, FRA intensified its collaboration with EASO, taking part in EASO's work on age assessment and quality of asylum systems. FRA attended the EASO Consultative Forum and joined the reference group for the revision of the European Asylum Curriculum, the core EU asylum training tool.

In its *Strategy towards the Eradication of Trafficking in Human Beings*, the European Commission asked FRA in 2012 to help develop a tool for guardians of child victims of trafficking as well as one for Member States to address fundamental rights issues of anti-trafficking policies. At the end of the reporting period, an additional project was included in the 2012 Work Programme to enable FRA to collect state practices on guardianship and legal representatives of child victims of trafficking. The results of this research will be made available in 2013.

#### Issues encountered

The wide scope of this thematic area does not allow FRA to follow policy developments in the area as a whole. Therefore, specific issues took priority in 2012, such as the rights of migrants in an irregular situation, as well as detention and return.

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## Impact

FRA evaluated the impact of two 2010 publications on asylum procedures to ensure that FRA advice is useful to policy makers and practitioners, based on evidence of current practices as per the Annual Work Programme 2012. The evaluation was also intended to assist FRA in defining its role, given the presence of other important actors working on asylum issues, including EASO, the United Nations High Commissioner for Refugees (UNHCR) and relevant NGO networks. FRA reports are fairly well-known among national asylum agencies in the EU and among EU officials, according to information from national asylum offices, EU officials, UNHCR officials and selected NGOs. Four EU Member States changed policies on the duty to inform, but views differed as to whether and how the FRA reports may have contributed to this. Similarly, the FRA external evaluation reviewed the project on fundamental rights of migrants in an irregular situation.

Result indicators show that FRA opinions have increasing visibility. The Presidency formally distributed one FRA opinion for discussion in a Council Working Party. FRA was regularly invited to attend the Return Directive Contact Committee where the European Commission discusses the implementation of the Returns Directive – on which FRA has developed several opinions – which testifies to the increased attention given FRA positions.

### 1.2.2. Information society and, in particular, respect for private life and protection of personal data

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#### Activities implemented in 2012

In 2012, FRA carried out two projects: 'Redress mechanisms and their use' and a 'Handbook on European data protection case law'.

The project on redress mechanisms, whose findings will be made available in 2013, aims at providing insights into why mechanisms available in the area of data protection are not used to the fullest possible extent. The project involves legal and social fieldwork research. The project maps current provisions of relevant legislation and redress mechanisms concerning data protection at the Member State level. The social fieldwork component is ongoing.

In the second project, FRA is preparing a handbook in partnership with the Council of Europe and the European Court of Human Rights, which will present and explain European data protection law in a straightforward way. The handbook, which will be finalised in 2013, is aimed at non-specialist legal professionals, national judges and legal professionals, as well as national data protection authorities.

Following the European Commission's proposal to adopt new rules for protecting personal data, FRA organised its 3rd Annual Symposium, focusing on the fundamental rights issues related to the proposed reform.

Other than project findings made available through reports, FRA also provided the European Parliament and other European institutions with evidence-based advice.

In response to a European Parliament request on 5 September 2012 for an analysis of the fundamental rights issues associated with the proposed EU data protection reform package, FRA issued its opinion on the draft legislation on 1 October 2012.

On 9 October 2012, FRA presented the opinion at the European Parliament to the interparliamentary committee meeting. During the session dedicated to 'Implementation of data protection law – ensuring consistency and efficiency', FRA provided the requested analysis in the form of a draft General Data Protection Regulation and a Directive.

The opinion built on and complemented others published by the European Data Protection Supervisor and the Article 29 Working Party, both of which focused on data protection. FRA also examined related rights other than data protection from the Charter of Fundamental Rights of the European Union. The FRA approach underlined that the reform package affected a number of fundamental rights, which it suggested the legislator consider when amending the drafts.

To better communicate its data protection research findings, FRA experts took part in a panel debate at the Computers, Privacy and Data Protection 2012 conference, entitled 'Regulating profiling for law enforcement: the EU PNR case'. During the debate, FRA again highlighted its 2011 opinion on the proposed Directive on the use of Passenger Name Record (PNR) data, which the European Parliament had requested. Similarly, FRA presented preliminary findings of the Redress mechanism project in the area of data protection at a seminar organised by the European Law Academy (ERA) in Trier. The unique data from FRA fieldwork research sparked great interest since it is particularly relevant in the context of the data protection reform package.

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#### Issues encountered

During the implementation of the redress mechanisms social fieldwork 'Redress Mechanisms and their use', FRA was unable to identify the planned number of interviewees/focus group participants. To remedy the problem, FRA: extended the fieldwork phase to identify more interviewees/focus group participants; involved the respective NLOs to support the project; and directly

contacted data protection authorities where possible. The problems could not, however, be solved satisfactorily. The main reasons for these difficulties must still be analysed. Because the requested social fieldwork service was not delivered, FRA did not pay for it. Since the commitments were carried over from 2011, they will most likely have to be cancelled in part. The countries affected are: Austria, the Czech Republic, Italy, Latvia, Portugal, Romania and Spain.

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## Impact

The opinion on the proposed EU data protection reform package must be considered an important achievement that reflects adherence to FRA performance indicators of timeliness and relevance. FRA experts delivered the opinion within just a few weeks, meeting a European Parliament deadline and then participating in the scheduled inter-parliamentary meeting. The opinion delivered the required differentiated perspective, centred on an array of fundamental rights, to relevant decision makers. At present, FRA is following the work of the Council of the European Union and of the European Parliament and stands ready to provide additional advice.

### 1.2.3. Visa and border control

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#### Activities implemented in 2012

In 2012, FRA continued its field research at border crossing points and analysed the results of the research carried out at the southern sea borders of the EU. In addition, it further consolidated cooperation with Frontex.

FRA implemented two projects under this Multiannual Framework (MAF) area in 2012. The first project, 'Treatment of third country nationals at the EU's external borders', consists in a first phase of some 300 in-depth interviews carried out at the Mediterranean with migrants, authorities, fishermen as well as humanitarian and international organisations. FRA experts analysed the results of these interviews in light of EU policies on sea border surveillance. FRA shared the draft report for comments with the five Member States covered by the research, as well as with other key stakeholders such as Frontex, EASO and the Council of Europe.

The FRA report, which was finalised in 2012 and released in March 2013, describes Frontex-coordinated sea operations, as well as fundamental rights challenges relating to Eurosur, a new border surveillance system established by the EU. FRA presented preliminary results in November 2012 at the European Patrol Network, a gathering of representatives of national authorities of the EU involved in maritime patrols.

The second phase of the project entailed field research at eleven border crossing points, five airports and

six land border crossing points. In 2012, FRA visited 10 of the 11 crossing points covered by the research, where it administered a questionnaire for border guards. The purpose of the research is to examine how fundamental rights provisions contained in the Schengen Borders Code are implemented in every day border control reality. FRA presented the research to the Operational Heads of Airports Conference organised by Frontex in March 2012.

The second project, 'Border control and fundamental rights', encompasses the collaboration between FRA and Frontex. The two agencies' directors evaluated positively the implementation over the past two years of the cooperation agreement. FRA took part in the interview panel for the selection of the Frontex Fundamental Rights Officer. FRA was part of the drafting committee preparing the governing documents for the Frontex Consultative Forum. In October, the FRA representative was elected Co-Chair of the Consultative Forum, together with a representative of the Jesuit Refugee Service.

FRA attended several other meetings organised by Frontex where it provided input on fundamental rights. In January 2012, for example, FRA contributed substantial input to the revised Frontex Common Core Curriculum, which led to enhanced fundamental rights coverage.

In 2012, FRA increasingly engaged in Schengen evaluation issues. In February, it presented fundamental rights considerations relating to the proposed Schengen Governance at the S&D Conference 'Upholding freedom of movement: a new Schengen governance'. FRA became a member of the Board of Experts for the training of Schengen evaluators and provided specific suggestions on how to incorporate fundamental rights in Schengen evaluations. The Schengen Evaluation Working Party, noting FRA input to the training of Schengen evaluators, in July 2012 agreed to include fundamental rights in the training programme (doc. 12644/12). FRA also presented preliminary results of the research at the EU's southern sea borders to the Board of Experts as well as to the Schengen Evaluation Working Party in December 2012.

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#### Issues encountered

Lack of access to restricted facilities delayed FRA staff and hired researchers in conducting research at selected airport transit zones and required extensive negotiations to resolve. While in all cases access was eventually granted and research completed, the delays were substantial.

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#### Impact

In 2012, the Council Working Party on Schengen Evaluations acknowledged FRA work in repeated references.

The 2011 revised Frontex Regulation pays increased attention to fundamental rights issues, providing fertile ground for FRA suggestions. FRA proposed fundamental rights issues to be incorporated in the Frontex Common Core Curriculum and in the training for Schengen evaluators.

#### 1.2.4. Racism, xenophobia and related intolerance

According to FRA's founding regulation, racism, xenophobia and related intolerance are a permanent part of its activities. FRA focuses, within this area, on identifying and analysing related issues and trends across the EU to ascertain causes and measures taken to reduce their occurrence.

##### Activities implemented in 2012

FRA continued work on its project 'Survey on discrimination and hate crime against Jews in selected EU Member States' by collecting data on Jewish people's experiences and perceptions of antisemitism through an online survey in nine EU Member States. The project addresses the general lack of data on the effects of antisemitism on Jewish people's lives in the EU and provides an overview of the obstacles which Jewish people face when living an openly Jewish life.

In total, almost 6,000 self-identified Jewish people completed the FRA questionnaire in the nine countries participating in the survey (Belgium, France, Germany, Hungary, Italy, Latvia, Romania, Sweden and the United Kingdom). The survey asked respondents about their perceptions of antisemitism as well as personal experiences of antisemitic incidents, hate crime and discrimination in various areas of everyday life. Following the completion of data collection, FRA experts and the contractors discussed the draft results of the survey at a meeting at the end of 2012. FRA submitted the final project deliverables in December 2012. In 2013, FRA will further analyse the data and prepare the results for publication in the final quarter of the year. FRA also held meetings with project stakeholders to discuss the scope and possible impact of the project on a variety of stakeholder groups.

In 2012, FRA concluded its multi-annual project on 'Holocaust and human rights education', which began with the merger of two related projects: the 'Role of historical sites in Holocaust education and human rights education' and 'Fundamental rights and education about the Shoah'. To provide expertise, FRA reached out to stakeholders using past policy-relevant reports and handbooks for teachers and for memorial sites and museums (*Discover the past for the future* (2009), *Excursion to the past – teaching for the future*, (2010) and *Human rights education at Holocaust memorial sites across the*

*European Union: an overview of practices* (2011)). FRA used a variety of delivery mechanisms for such stakeholder engagement, such as workshops, trainings and conferences. Following the joint FRA and Yad Vashem launch of the online 'Toolkit on the Holocaust and Human Rights Education in the EU, 2011', in 2012 FRA concentrated its attention on providing support for human rights education at memorial sites and museums. To this end, FRA developed cooperation with the European Commission, Anne Frank House, Mauthausen Memorial, Danish Institute for International Studies, Auschwitz Birkenau, the Center for Interdisciplinary Memory Research and relevant National Human Rights Institutions. FRA continued its regular cooperation with the Task Force for International Cooperation on Holocaust Remembrance, Education and Research, and the Council of Europe.

Particular mention is due the conference entitled 'Remembering for the future', held in cooperation with the European Commission and Danish Institute for International Studies, and peer review and training events of memorial site guides at Mauthausen Memorial in March and November 2012, respectively. FRA helped with a module for training guides, combining approaches from the Holocaust and from human rights education. FRA also explored how it could cooperate further with original sites and museums in a project follow-up.

In June 2012, FRA published its annual update on the situation of antisemitism in the EU, presenting official and unofficial data collected on antisemitic incidents in the EU between 2001 and 2011. FRA presented the report at the State of Israel and European Commission 'Vith Seminar on combating racism, xenophobia and antisemitism' in Jerusalem. It was also presented in the European Parliament in Brussels at a conference on antisemitism in Europe for Members of the European Parliament, an event which was co-hosted by the Interparliamentary Coalition for Combating Antisemitism and the Anti-Racism and Diversity Intergroup of the European Parliament, B'nai Brith Europe/B'nai Brith International and CEJI – A Jewish Contribution to an Inclusive Europe, and the European Jewish Congress.

The issue of hate crime played an important role in FRA work in 2012. FRA published two related reports in November 2012 – *Making hate crime visible in the European Union: acknowledging victims' rights* and *EU-MIDIS Data in Focus 6: minorities as victims of crime*. FRA also reinforced cooperation in the field with the European Commission, the European Parliament, the Council of Europe, the OSCE Europe's Office for Democratic Institutions and Human Rights (ODIHR), EEA Norway Grants, and policy actors and law enforcement agencies at the national level.

FRA continued collecting data on racism, xenophobia and related intolerances, as part of its work on the



Annual Report on the situation of fundamental rights in the EU, including through its Franet research network.

### Issues encountered

Within the project 'Survey on discrimination and hate crime against Jews in selected EU Member States', the first stage of data collection, which piloted the use of respondent-driven sampling, failed to achieve an adequate response level. The overall project design, however, could handle this problem, because it included a second data collection stage using an open web survey, which had a sufficient response rate.

The *Handbook on non-discrimination law* was made available in 21 EU languages, as well as in Catalan, Croatian and Turkish, but it faced a slight delay in the production of CD-Roms, due largely to a lack of resources and translation delays.

### Impact

Requests for FRA expertise or offers to translate its reports testified to the quality of FRA work. Some NHRIs offered to translate the most recent product from the Holocaust and human rights education project, the 'Toolkit on the Holocaust and human rights education'. The European Commission requested development of a module for the training of EU officials, also from that project, which will be completed and tested in 2013.

FRA networked with a number of key stakeholders for this project, particularly with Yad Vashem (the world center for documentation, research, education and commemoration of the Holocaust), which allowed a more efficient use of resources on both sides.

FRA findings of the Holocaust and human rights education project were reported at the regular annual European Commission-Israel Seminars on combatting antisemitism and racism.

#### 1.2.5. Discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation and against persons belonging to minorities and any combination of these grounds

### Activities implemented in 2012

#### Disability

The FRA project on 'Fundamental Rights of persons with intellectual disabilities and persons with mental health problems' finalised its fourth comparative legal report on the issue of legal capacity in 2012. It is scheduled for

publication in June 2013. In June 2012, FRA published two other reports resulting from the same project, *Choice and control: the right to independent living and Involuntary placement and involuntary treatment of persons with mental health problems*. The *Choice and Control* report, drawing on the findings of interviews with persons with mental health problems and persons with intellectual disabilities, examines how they experience the principles of autonomy, inclusion and participation in their daily lives. The second report, carried out in nine EU Member States on the actual experiences of those involuntarily placed and treated, points to the need for a renewed discussion of compulsory placement and treatment in the EU.

FRA initiated two new disability projects in 2012: 'Children with disabilities in families and care institutions with respect to discrimination and hate crime' and a project on 'Disability indicators'. Research activities will continue in 2013.

#### Multiple discrimination

The research project 'Inequalities and multiple discrimination in healthcare' was completed in 2012. The final report, focusing on perceptions and experiences of barriers to equal treatment and issues of multiple discrimination in access to and quality of healthcare, was finalised and published in March 2013. FRA presented the preliminary findings of the report at a number of events, including: the United Nations Economic Commission for Europe forum on Ageing (Vienna, 20 September 2012); the International Union for Health promotion and Education conference (Tallinn, 27-29 September 2012); and the 15th European Health Forum Gastein (3-6 October 2012).

During the year, FRA participated in a number of meetings and missions on report-related issues. The European Commission requested the European Centre for Disease Prevention and Control (ECDC) to perform a risk assessment on the HIV situation in Greece, which also focused on the impact of migration on public health. ECDC, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), FRA and the World Health Organisation/Europe conducted the joint technical mission to Greece from 28 to 29 May 2012. FRA also participated in meetings of the HIV and Human rights conference Coordinating Committee to help prepare a high-level EU conference in 2013.

#### Roma

The European Commission, in its *Communication of 5 April 2011 on an EU Framework for National Roma Integration Strategies*, asked FRA to expand its data collection on Roma to all EU Member States, run surveys regularly to measure progress on the ground and work with Member States to develop monitoring methods



that can provide a comparative analysis of the situation of Roma across Europe.

In response, FRA developed a comprehensive multi-annual Roma Programme (2012–2020), addressing key issues raised in the Council Conclusions of 2010 and 2011 related to Roma integration and targets set by the Europe 2020 strategy regarding *Inclusive growth – a high-employment economy delivering economic, social and territorial cohesion*.

The FRA Roma Programme aims to assist Member States in their efforts to implement the EU Roma integration framework by providing robust and comparable data, insight into the situation of Roma and the impact of efforts to improve it.

FRA focuses on four priority areas: employment, education, housing and health from a human rights perspective. It examines them from a fundamental rights perspective, looking at issues of discrimination, anti-Gypsyism and related hate crime, as well as at citizenship and rights awareness.

More concretely, FRA will collect three types of data in the framework of its Roma Programme:

- primary statistical data derived from surveying random samples of the target populations;
- primary qualitative data derived from participatory action research at local level;
- secondary official data sources and official and non-official data on Roma.

In May 2012, FRA, together with the European Commission, the UNDP and the World Bank released the first results of their combined surveys in a joint publication on *The situation of Roma in 11 EU Member States: survey results at a glance*.

As foreseen in the EU Framework, FRA seeks to facilitate consensus building among EU Member States on ways to measure Roma integration effectively and comparatively at EU level. FRA set up an *ad hoc* working party of experts from interested national authorities, the European Commission, and international bodies to pool knowledge on indicator development, data collection, monitoring, and statistical analysis on Roma issues. The working party serves to exchange experience and promising practices.

At present, the working party brings together 10 EU Member States (Bulgaria, the Czech Republic, Finland, France, Hungary, Italy, Romania, Slovakia, Spain and the United Kingdom) plus Croatia, as well as European Commission experts from DG Justice, DG Employment and DG Regio, UNDP and Eurofound.

FRA hosted two meetings of the *ad hoc* working party on measuring Roma integration on 20 and 21 June and on 19 and 20 November 2012.

Working party participants agreed to start collaborative work on core indicators to assess the impact of measures and policies aimed at Roma integration across EU Member States. The working party also provided inputs and suggestions to FRA in the development of a mapping of sources of data at different administrative levels. Finally, the working party shared information on the challenges and achievements in developing methods at Member State level to monitor the impact of national Roma integration strategies.

FRA was invited to introduce the working party's activities at the first meeting of the Member States' network of national Roma contact points, hosted by the European Commission on 2 and 3 October 2012. The working party will regularly report on its results to network meetings.

FRA finalised the technical specifications for the qualitative component of its research and engagement activities, which is to be launched in 2013 and conducted between 2013 and 2017. FRA explored how a variety of participatory action research and engagement methods could add value to gathering data on integration of Roma at local level. FRA organised three expert workshops. This project will provide a comprehensive understanding of the problems identified by the Roma Task Force and contribute to the development of practical tools for the implementation and monitoring of Roma action plans at local level, which are transferable and can contribute to national and EU level monitoring.

### *Lesbian, Gay, Bisexual and Transgender people (LGBT)*

In the context of the project 'Surveying LGBT people and authorities', FRA launched the EU LGBT survey ([www.lgbtsurvey.eu](http://www.lgbtsurvey.eu)) on 2 April 2012 and closed it on 9 July 2012. It was the first ever EU-wide online survey aimed at establishing a comparable picture of the lives of lesbian, gay, bisexual and transgender people, trying to capture their experiences of discrimination and hate crime. A consortium consisting of Gallup and ILGA-Europe conducted the data collection. Over 93,000 people completed questionnaires across the EU and Croatia. The launch of the report will take place on 17 May 2013 on the International Day Against Homophobia and Transphobia (IDAHO) in The Hague, during a high-level conference hosted by the government of the Netherlands.

Following a small expert meeting on 5 June 2012, FRA met and discussed on 24 October 2012 with Franet senior social scientists the fieldwork implementation of this new LGBT research. The expert meeting focused on the design of the new project 'Public Authorities', which

includes qualitative interviews with public officials, teachers, police officers and health staff. FRA launched fieldwork in 19 EU Member States in 2012. Fieldwork will continue in 2013.

FRA will draw on the findings of both research projects to develop evidence-based advice to help the EU and its Member States to shape policies to prevent discrimination based on sexual orientation and gender identity. The European Parliament, in its report 2011/2069(INI) on the *Situation of fundamental rights in the European Union (2010–2011)*, called upon “the Commission to use the results of the ongoing FRA survey to prepare an EU Roadmap for equality on grounds of sexual orientation and gender identity”.

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### Issues encountered

The project ‘Surveying LGBT people and authorities’, faced under/over representation of certain (sub)groups. To avoid the undue influence of any subgroup or nationality in the sample, the data were statistically weighted by respondents’ LGBT group and country of residence to calculate an EU LGBT average. This procedure guarantees that the opinions of the LGBT respondents from each country are represented proportionally and reliably in the survey according to the country’s population.

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### Impact

Following a request from the European Parliament on 25 April 2012, FRA delivered an opinion on the proposed EU law on the property consequences of registered international partnerships. The legal opinion concludes that the proposed law does not provide convincing reasons for denying registered partners the choice offered married couples. FRA underlined that the proposal, therefore, runs a serious risk of violating the principle of equal treatment under EU law.

The European Parliament mentioned FRA on LGBT issues in a number of resolutions.

In November 2012, DG Justice submitted a formal request to FRA requesting input on the application of the Racial Equality Directive 2000/43 and the Employment Equality Directive 2000/78. FRA submitted its first input at the end of December 2012.

The decision of the European Commission to include FRA in its meetings with the National Roma Contact Points and the resulting reports and communication show how FRA’s data collection activities contribute to the development of the EU Framework on Roma integration.

In another example of the potential influence of FRA expertise on policy, a FRA expert delivered a speech at a European Parliament hearing on violence against women

with disabilities, and other FRA experts presented Roma findings to the European Parliament’s LIBE committee during a hearing on the proposed anti-discrimination directive.

The European Commission used findings from FRA’s Roma Pilot survey as evidence in its Communication on *National Roma Integration Strategies: a first step in the implementation of the EU Framework*.

FRA cooperation with international actors such as UNDP and the World Bank on the Roma Pilot Survey, testifies to the ability of FRA to create synergies with other organisations operating in the same field. Within the same project, a FRA, UNDP and European Commission joint publication addressed the severe lack of data on the situation of Roma in the EU and the fulfilment of their rights, and provided evidence of their socio-economic situation for the European Commission *Communication of May 2012 on National Roma Integration Strategies: a first step in the implementation of the EU framework*.

### 1.2.6. The rights of the child, including the protection of children

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#### Activities implemented in 2012

The thematic area ‘The rights of the child, including the protection of children’, included two 2012 projects: ‘Children and justice’ and ‘Guardianship provisions for child victims of trafficking’.

The first looks at the treatment of children in the justice systems of the EU, an important issue of concern for EU institutions and Member States. The research, based mainly on interviews with professionals, aims at identifying forms of child participation in justice proceedings, as well as collecting promising practices in 10 EU Member States.

In line with the work plan, in 2012 the FRA network of national focal points across the EU, Franet, carried out the fieldwork for the qualitative research in nine EU Member States – Bulgaria, Estonia, Finland, France, Germany, Poland, Romania, Spain, United Kingdom – and in the EU acceding country Croatia.

In October, FRA hosted an expert meeting on child participation in research in preparation for the Children and Justice Project in 2013 and 2014, which will involve children in the fieldwork research. The meeting covered issues including ethical principles, involving children in the research process, researcher training, age and maturity-specific methodologies and balancing protection and participation of children in research.

The FRA Management Board approved a revised version of the Annual Work Programme 2012 in December 2012, enabling FRA to carry out a European Commission





request for a project whose results would feed into the ongoing *EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016* (COM(2012) 286 final). Specifically, it asked FRA to develop a best practice model on the role of guardians and/or representatives of child victims of trafficking.

To ensure the involvement of experts, FRA held several meetings. One was dedicated to 'Researching with children in the justice context', as part of the Children and justice project.

## Impact

Together with the children's rights sections of the Council of Europe and the European Commission, FRA worked on raising awareness of the Council of Europe's Guidelines on Child-friendly justice, which are aimed at professionals working with children who are involved in justice proceedings. The guidelines were translated into several EU languages and disseminated to research participants and other key actors.

FRA's work directly supported the development of the EU's *Agenda on the Rights of the Child Plan* and the European Commission's *Action Plan on Unaccompanied Minors (2011–2014)*. In addition, the Dutch government reviewed the detention of asylum seeking minors in facilities for young offenders following the relevant FRA report and discussions with the Minister of Justice. Following a FRA report on Greece and discussions with the Greek Ministry of Citizens' Protection, authorities moved unaccompanied third-country minors and families out of detention and into other facilities. Finally, the FRA report on separated asylum seeking children contributed to the review of age assessment procedures.

### 1.2.7. Access to efficient and independent justice

#### Activities implemented in 2012

In 2012, FRA carried out the following projects: 'Access to efficient and independent justice'; 'Gender-based violence against women: from childhood to adulthood'; 'Joined-up governance'; 'Victim support services in the EU: An overview and assessment of victims' rights in practice' and 'Existence and interpretation of the freedom to conduct a business'.

The first of these projects includes complementary legal and sociological analysis. FRA launched the completed report on *Access to justice in cases of discrimination in the EU – further steps to equality* at the FRA Fundamental Rights Conference in December 2012.

Data collection for the project 'Gender-based violence against women: from childhood to adulthood' was

completed in 2012 with the final interviews done in September 2012. In total, the survey interviewed over 40,000 women as a part of a random sample delivering results which are representative for each of the 27 EU Member States and Croatia. FRA finalised the survey questionnaire in January 2012, then held two train-the-trainers seminars and national interviewer training sessions. FRA piloted the questionnaire in all survey countries before the main part of the interviews began. After data collection finished the survey contractor merged the data collected in each EU Member State and Croatia, computed the weights for national and EU-level analysis and tabulated the results. FRA discussed the preliminary results with the contractors (Ipsos MORI, European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI) and the United Nations Interregional Crime and Justice Research Institute (UNICRI)) in a closed meeting on 15 November 2012, and all the final contracted research deliverables – including the data set, final technical report and final results report – were delivered to FRA in December 2012.

FRA continued to raise awareness about the survey among its stakeholders who are also data users and will help cascade communication of the results, starting in the final quarter of 2013. These activities involved the Cyprus presidency conference on violence against women and domestic violence (8 and 9 November 2012), the annual conference of Women Against Violence Europe (18 and 19 October 2012) and the conference on domestic violence organised by the European Economic and Social Committee (21 September 2012).

The project 'Joined-up governance' is nearing its final stage with the production of a web-based toolkit which will offer practical advice to local and regional authorities on how to better implement fundamental rights. The toolkit is based on evidence from focus group discussions on successful joined-up governance projects in five EU Member States: Belgium, the Netherlands, Spain, Sweden and the United Kingdom. To ensure the toolkit's usability, local authorities from seven EU Member States used and reviewed it in 2012: Bulgaria and the Czech Republic (Roma-related projects), Italy (LGBT network), the Netherlands (human rights awareness raising), Spain (anti-discrimination), Sweden (mainstreaming human rights in service delivery) and the United Kingdom (irregular migrants' service provision). The project's Advisory Group – including representatives from the EU Commission's DG REGIO, Council of Europe, OHCHR, EU Committee of the Regions, Congress of Local and Regional Authorities (Council of Europe), Swedish national association of municipalities (SALAR) as well as independent experts – reviewed the final toolkit draft. The Advisory Group commented positively on it, providing some further suggestions which were worked in by the end of 2012. The toolkit is set to be released in a web-based form in June 2013.

At the request of the European Commission FRA is assessing the provision of support to victims of crime in all Member States. The goal of the project 'Victim Support Services in the EU: An overview and assessment of victims' rights in practice' is to map existing structures of victim support provision, creating an inventory of victim support provision in the EU. It also aims at analysing the role and function of victim support services and identifying and highlighting promising practices, which will enable Member States to improve their performance in this area. A first research phase, which was concluded in February 2012, provided an overview of structures of victim support provision at Member State level. A second phase looked at the work of the most important victim support services in the fields of generic and specialised victim support. A third research phase, initiated in November 2012, will analyse in detail some particularly promising practices at Member State level. A fourth phase will look into victim support services for specific types of victims, as opposed to generic services, focusing in on support for victims of hate crime. A report will be finalised at the end of 2013.

At the request of the European Commission, FRA conducted in-house research and prepared for Franet contributions during 2013 on the freedom to conduct a business. On 23 October, FRA organised a roundtable with selected Commission DGs in Brussels to narrow down possible areas for detailed research in the Member States as to the scope and EU policy dimensions of the right to conduct a business, Article 16 of the Charter of Fundamental Rights of the European Union.

In 2012, FRA finalised and published several reports on access to justice: *Bringing rights to life: The fundamental rights landscape of the European Union*, originally part of the FRA Annual Report, in June 2012; *Handbook on the establishment and accreditation of National Human Rights Institutions in the EU* in October, and a Conference Paper 'Bringing the Charter to life – opportunities and challenges of putting the EU Charter of Fundamental Rights into practice'.

At the end of the year, FRA concluded its publications in this area with two reports mentioned in the introduction to this Annual Activity Report, namely *EU Midis Data in Focus Report 6: Minorities as Victims of Crime* and *Making hate crime visible in the European Union: acknowledging victims' rights. Access to Justice in cases of Discrimination in the EU – Steps to further quality* was also launched at the end of 2012.

The European Parliament asked FRA to advise it on the extent to which confiscation of proceeds of crime could go without breaching fundamental rights. The FRA opinion, with a delivery date of 4 December 2012, looked into substantive provisions of the proposal, focusing on

the introduction of non-conviction based confiscations, extended powers of confiscation and confiscation from a third party. It assessed these provisions in the light of the Charter of Fundamental Rights of the European Union and of international human rights standards.

FRA and the Committee of the Regions of the EU held their 4th Annual Dialogue on multi-level protection and promotion of fundamental rights, focusing on: 'The economic crisis – Obstacle or incubator for innovation in access to justice?' The event explored the contribution of local and regional authorities in facilitating access to justice in these hard economic times. During the meeting, FRA presented the agency's work on access to justice. The findings of the dialogue were compiled in joint FRA/Committee of the Regions conclusions and fed into FRA's 2012 Fundamental Rights Conference, held at the European Parliament in December.

FRA took part in think-tank discussions on EU mechanisms to monitor the rule of law and justice in EU Member States. The aim of such a mechanism is to promote respect for the rule of law and justice within the EU as well as to increase the level of trust among Member States in the functioning of the rule of law throughout the EU. FRA is continuing work to elaborate such a mechanism in cooperation with the Irish Presidency.

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## Issues encountered

As to the area of access to efficient and independent justice overall, FRA has yet to clearly delineate its approach to make the topic more manageable and ensure the expected impact. The exception is victims of crime which has developed into a clear focus area.

Activities implemented and FRA initiatives could also be said to suffer from a lack of a clear 'policy home' within the EU. Access to justice encompasses a wide range of issues and it is difficult to identify focuses that are policy relevant across the board.

At times, EU initiatives represent only components of specific areas, such as equality or legal standing in relation to commercial issues.

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## Impact

In 2012, FRA contributed to results in this area in a number of ways. FRA cooperated closely with a range of stakeholders on gender-based violence, raising its profile. The results will be integrated into a range of activities in 2013 and beyond. FRA research on victims of crime was developed in close cooperation with the European Commission, which ensures focus on policy relevant areas. Several DGs of the European Commission gave positive feedback on the research on freedom to conduct a business.

The work on hate crime was similarly well-received, not the least because of its timely publication. The EU was conducting a legislative review and the upcoming Presidency of the EU Council was also emphasising the topic. Various stakeholders at national and international level referred to the *Handbook on National Human Rights Institutions*, saying it was very much needed.

The opinion related to confiscation of proceeds of crime was delivered in time for debate in the European Parliament and has reportedly been of good use to its work.

### 1.2.8. Cross-cutting projects or activities covering all MAF areas

#### Activities implemented in 2012

FRA focused in 2012 on bringing together its research experience and expertise to develop an in-house report on Fundamental Rights Indicators. Recognising that fundamental rights indicators can be invaluable for shedding light on the state of fundamental rights on the ground, FRA sought to develop indicators related to key fundamental rights areas addressed through its research. The report drew on the FRA May 2011 Symposium, external initiatives and a recent publication of the Office of the High Commissioner for Human Rights *Human rights indicators: A guide to measurement and implementation*.

FRA experts, drawing on 28 reports and data sets from Franet partners in the 27 EU Member States and Croatia, drafted the chapters of the Annual Report 2012 in October and November reflecting the different MAF areas: asylum, immigration and integration; border control and visa policy; information society and data protection; the rights of the child and protection of children; equality and non-discrimination; racism and ethnic discrimination; participation of EU citizens in the Union's democratic functioning; access to efficient and independent justice; rights of crime victims. FRA proposed several topics for the annual report's focus section to the Management Board at its September 2012 meeting: fundamental rights at times of crisis; challenges of data collection, measuring and monitoring fundamental rights performance or developments in more specific fields like data protection, LGBT issues or hate crime. The Management Board agreed that the focus section of the Annual Report 2012 should address the implications of the socio-economic crisis. As in 2011, Chapter 10 was again dedicated to the international human rights obligations of the EU and its Member States (and Croatia).

The annual Fundamental Rights Conference took place at the European Parliament in Brussels on 6 and 7 December 2012. The conference was hosted under the patronage of the President of the European Parliament and in close cooperation with two European Parliament

Committees – Civil Liberties, Justice and Home Affairs (LIBE) and Legal Affairs (JURI). The Cypriot Presidency of the Council of the European Union also supported the event. The conference, entitled 'Ensuring access to justice in times of economic crisis', discussed: non-judicial redress mechanisms; e-justice; alternatives to redress, such as mediation, legal aid and pro-bono work; victims' rights and other issues. FRA developed the programme in close cooperation with the European Parliament, the European Commission, the Council of Europe, and other stakeholders. High-level speakers included Vice President Viviane Reding, the Minister of Justice and Administration of the Cyprus Presidency Mr Loucas Louca, the Council of Europe Commissioner for Human Rights Mr Nils Muižnieks, and many more. With about 300 decision makers, practitioners and experts from across the EU attending, the event aimed to serve as a high-level forum for developing policy-oriented solutions.

The 2012 FRA Europe Day Symposium gathered data protection experts and stakeholders to focus on the fundamental rights dimension of the European Commission's proposed data protection reform. At this symposium, workshops were organised on the following themes: the right to be forgotten, the right of portability, the powers of independent supervisory authorities and profiling. The workshops received positive feedback and took advantage of the very useful participation of important policy makers. FRA also collected feedback from participants who represented the business sector for work on the freedom to conduct a business, a project that is currently under development. The symposium's results will feed into the European Commission's data protection package and also into current FRA projects, such as the Redress mechanism project.

The FRA multi-annual project on Holocaust and human rights education addressed young people in an effort to raise awareness about the Shoah and other genocides, and link their universal lessons to the fundamental rights and values of the EU. The project closed with a final training event of memorial site guides at Mauthausen Memorial on 2 and 3 November. During the reporting period, FRA, in response to a European Commission request, developed a proposal for a training module for Commission officials to be completed and tested in 2013. A proposal to include this project under the Annual Work Programme 2013 was tabled during the Management Board meeting, as well as a discussion proposal for the draft Annual Work Programme 2014. This project will draw on past FRA work on the Holocaust and human rights education, as well as on FRA research on antisemitism, to develop training tools for public officials that raise awareness on the significance of preserving the memory and lessons of the Shoah, as a unique event, as well as of crimes committed by totalitarian and authoritarian regimes in post-war Europe.

A human rights-based police training manual was finalised and will be available in June 2013. The manual will help police trainers to equip police officers in the EU with the knowledge and skills necessary to effectively safeguard and protect fundamental rights. FRA developed this tool in close cooperation with the Association of European Police Colleges (AEPC), the European Police College (CEPOL) and their networks of national police academies. It is designed to help further the establishment of common standards in the fields of non-discrimination, diversity and fundamental rights training for police and to provide hands-on assistance to those entrusted with police training.

FRA continued to host meetings with NHRIs, equality bodies, and ombuds institutions and to look at new ways of cooperating with and engaging them more closely in FRA work. In conjunction with the NHRIs meeting, FRA also held a separate gathering with the Chair of the European Group of NHRIs and FRA senior and expert staff to enhance the links between FRA research and the NHRIs work in selected thematic areas.

For the first time, FRA invited the heads of the NHRIs and the network of Equality Bodies, the Council of Europe (Human Rights Directorate and the office of the Commissioner for Human Rights), the office of the European Ombudsman and one representative of an Ombudsperson institution to a meeting to discuss strategies for cooperation.

FRA worked closely during the reporting period with the representatives of national administrations who act as National Liaison Officers. The liaison officers provide feedback on FRA work via regular meetings and other communication activities.

2012 represented an important consolidation of FRA's work with those civil society organisations that form part of the Fundamental Rights Platform. FRA improved the mechanism for consulting with the Fundamental Rights Platform on the Annual Work Programme and the Annual Report, which increased participation. FRA project managers provided feedback to contributing organisations.

FRA, in line with the requirements of its founding regulation, started to implement an internal monitoring and evaluation exercise in 2012. After adopting a Performance Measurement Framework, which outlines the expected results and maps how they are inter-linked, FRA identified and approved a first set of performance indicators. With the assistance of an external contractor, FRA plans to finalise the first FRA performance report in 2013. This report will document how FRA activities and projects, implemented since its establishment, have contributed to each thematic area. Starting with the Annual Work Programme 2012, Annual Work

Programmes now include an additional annex, entitled 'Evaluation Policy', that captures all FRA initiatives in monitoring and evaluation. The document, in addition to referring to the legal requirements for FRA and how FRA accomplishes its duties, also contains the Performance Measurement Framework and the adopted performance indicators.

Regarding the consultation mechanism, in 2012, following consultations with the Fundamental Rights Platform Advisory Panel, the Director adopted the Fundamental Rights Platform Framework Document. The document provides an overview of the challenges for the development of the Fundamental Rights Platform in 2012, including enhancing FRA: cooperation with the platform on projects and research; communication with platform organisations and among platform organisations themselves through an improved e-Fundamental Rights Platform; consultations with the platform on the Annual Work Programme and Annual Report.

FRA launched a call to expand the Fundamental Rights Platform to new actors at the end of 2011 by inviting those Croatian civil society organisations involved in FRA projects to become Fundamental Rights Platform members and others to become observers. Additionally, in accordance with the code of conduct of the Fundamental Rights Platform, organisations which have been part of the FRP for three years were invited to renew their applications. A targeted call was sent to organisations wishing to become participants of the Fundamental Rights Platform in 2012. The 5th Fundamental Rights Platform meeting took place on 19 and 20 April 2012 in Vienna and brought together representatives of about 160–180 civil society organisations from across the EU. Discussions focused on multiple discrimination and cooperation between national human rights institutions, equality bodies and civil society, with a special focus on victims' rights, access to justice and underreporting.

FRA worked closely with its partners at all levels of the EU to ensure that its activities were relevant to current fundamental rights issues and future trends. In order to pool knowledge and resources, FRA coordinates research and shares expertise with a large number of organisations.

FRA, together with the European Court of Human Rights, finalised the *Handbook on asylum, immigration and border control*. The English-language draft was submitted for translation into 10 languages in December 2012. As a follow-up to the research on migrants in an irregular situation, the FRA, together with Member State experts and the European Commission, developed guidance on fundamental rights considerations when apprehending irregular migrants. They presented the guidance to the Council Working Party on Integration, Migration and Expulsion on 26 September (Doc. 13847/12) and on



28 September to the Contact Committee with EU Member State representatives convened by the European Commission under the Return Directive.

In November, FRA participated in the Equality Summit 2012 co-organised by the Cyprus Presidency of the Council of the European Union and the European Commission. It highlighted the importance of equality policies and legislation for the most vulnerable groups in the current difficult financial context.

FRA continued its cooperation with the Council of Europe's LGBT unit. FRA took part in the 'Start up Conferences' of the Council of Europe LGBT Assistance Project in Latvia and Poland. During these meetings, representatives from different ministries, NGOs and other stakeholders discussed the current socio-legal situation of LGBT people in Latvia in view of the standards set by the Council of Europe Committee of Ministers. FRA presented relevant research findings.

In 2012, FRA continued work under formal co-operation agreements with other EU agencies including Eurofound, Frontex, and CEPOL. Contacts were also strengthened with the EU's law enforcement agency (Europol) and EASO. Working closely with key stakeholders in the field of justice and with other EU agencies, such as CEPOL, Europol and the EU's Judicial Cooperation Unit (Eurojust), FRA provided fundamental rights-centred evidence-based advice about the situation on the ground in selected areas of EU policy, legislation and practice. In parallel, FRA work should feed into the policy and legislative processes of the European Commission, the Council of the European Union and the European Parliament – with FRA becoming a key actor providing robust, relevant and timely evidence-based advice on fundamental rights in the area of access to justice.

FRA, in close co-operation with AEPC, CEPOL and their networks of national police academies, finalised the fundamental rights-based police training manual, a practical training tool that will help police trainers to equip police officers in the EU with the knowledge and skills needed to effectively respect and protect fundamental rights.

In the area of border management, FRA continued the successful partnership with Frontex, begun in 2011. FRA assisted Frontex with fundamental rights expertise in developing and upgrading 'Common Curricula' and other training material for border guards, and continued the in-house work on developing research-related activities between the two agencies. FRA also took part in a preparatory meeting of Frontex's Consultative Forum in Warsaw. The forum is being set up to advise Frontex's Executive Director and its Management Board on the fundamental rights aspects of Frontex's activities.

In 2012, the FRA website was completely redeveloped and relaunched in September in three languages: English, French and German. The revamped website includes a new content management system, making it more user-friendly and interactive, and enabling the introduction of additional features. Feedback received following the relaunch was extremely positive.

To further enhance the quality of its products, all FRA publications go through a careful scientific and language editing process in-house. In 2012, FRA issued 35 publications in English and more than 150 language versions thereof.

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## Country visits

Through regular country visits, FRA aims to strengthen its ties with key partners in EU Member States and to promote its activities. Common areas of cooperation are explored during meetings at the level of:

- government (Ministry of Justice, Ministry of Interior and other ministries, whose activity is relevant to FRA's mandate);
- parliament (Committee of Human Rights);
- national human rights bodies;
- civil society.

In 2012, FRA's director almost completed his first round of country visits to all 27 EU Member States and Croatia, by travelling to:

- Sweden - February
- Cyprus – March ('Presidency' visit, that is, in the context of the upcoming presidency of the Council of the European Union)
- Romania – March
- Portugal – June
- Slovenia – October
- Ireland – November (Presidency visit)
- Malta – December





# 2

## Management and internal control systems



### 2.1. Introduction

FRA helps to ensure that the fundamental rights of people living in the European Union (EU) are protected. It does this by collecting evidence about the situation of fundamental rights across the EU and providing advice, based on this evidence, about how to improve the situation. FRA also informs people about their fundamental rights and, in doing so, helps to make fundamental rights a reality for everyone in the EU.

In order to implement its mission, FRA collects data (mainly via its framework contractors), organises meetings with external experts and, whenever necessary, sets up *ad hoc* working parties. Contractors collect data based on technical specifications prepared by experienced members of staff, taking into account the nature of the risk and control environment. The agency's experts evaluate and review the deliverables. On the basis of the data collected, FRA formulates analyses, conclusions and opinions which are then communicated to its stakeholders. Communication and awareness-raising activities include dialogue with civil society, publication of reports, conclusions and opinions, organisation of events and conferences, and managing the agency's web presence.

FRA consists of five departments, of which three are operational and two administrative. Each head of department has been delegated authorising officer rights.

One amending budget took place during the financial year. FRA received from the Austrian authorities one-third of the monthly rent for the period January – December 2012. In addition, FRA received from the Danish government a contribution to the operational expenses of the agency's project related to disability.

During the course of the financial year, no risks materialised. Similarly, no major events, either internal or external, had an impact on FRA during the reporting year.

### 2.2. The functioning of the entire internal control system

FRA's internal control standards (ICS) are structured around six 'building blocks': mission and values, human resources, planning and risk management, processes, operations and control activities, information and financial reporting, and evaluation and audit. Based on these standards, the agency developed and implemented an internal control system. Its objective is to maintain an appropriate balance between risks to be addressed and the controls required to minimise these risks.

The implementation and effectiveness of the internal control system are assessed on the basis of:

- experience of the operation of the control system – on the basis of which the internal control system has effectively managed exposure to key risks;
- staff capacity – in terms of staff skills and allocation of resources; and
- capacity of systems and procedures – based on the sufficiency of the existing systems to mitigate the key risks.

The assessment of the internal control systems is based on management knowledge gained from daily operations, annual self-assessments, management reviews, audit reports and results from tests of key controls.

### 2.2.1. Effective implementation of the internal control standards

To ensure continual improvement, FRA monitors the level of implementation of the ICS on an ongoing basis. In 2012, FRA continued to monitor the entire system seeking additional ways to strengthen its effectiveness. The FRA filled existing gaps and further enhanced the effectiveness of the ICS.

The exercise of prioritising the ICS involves addressing the comments made by the European Parliament in its report *Discharge 2010: performance, financial management and control of EU agencies*. The agency's discharge reports from previous financial years and any ongoing observations have also been taken into consideration. Finally, the observations of the European Court of Auditors (ECA), as well as the recommendations from the Internal Audit Service (IAS) were also considered. Based on these observations and recommendations, FRA prioritised the necessary actions to improve the effectiveness of the relevant ICS. These actions and their impacts are presented below.

#### Mission and values

##### *Ethical and organisation values (ICS 2)*

FRA took the necessary steps to ensure the effectiveness of ICS 2, based upon the recommendations of the European Parliament concerning the protection of whistleblowers, as provided in *Discharge 2010: performance, financial management and control of EU agencies*. To further strengthen ICS 2 effectiveness, FRA has taken three approaches.

First, the Management Board decided at its meeting on 13 and 14 December 2012 to formally adopt new rules on whistleblowing after consultation with the European Commission's services. In the meantime, FRA decided to apply *mutatis mutandis* the European Commission's 'Guidelines on Whistleblowing,' adopted on 9 December 2012.

Second, FRA introduced compulsory training for all staff members to increase awareness of ethics and integrity. The training initially targeted key actors in the administrative domain (finance and procurement) and areas with potential criticalities.

Third, FRA developed further its already elaborated anti-harassment policy by introducing continuous training of the confidential counsellors and compulsory training courses for all staff members. Moreover, following the European Parliament's recommendation, FRA applied the principle of anonymity in administrative inquiries.

Specific measures for awareness raising and avoiding conflicts of interest for internal staff (declarations) were

taken during recruitment procedures and procurement selection panels.

FRA launched a procedure for establishing rules governing conflict of interest for its Management Board and Scientific Committee members. The procedure is expected to be concluded in 2013.

As per the European Parliament's recommendation, FRA also intends to publish in May 2013 on its website the declarations of interest of all members of the management team.

#### Human resources

##### *Staff allocation and recruitment (ICS 3)*

In its recommendations in the Resolution on discharge for the financial year 2010, the European Parliament raised concerns about the increased vacancy rate (i.e. 21 %) and delays in completing recruitment procedures. FRA took already the necessary measures to drastically decrease this vacancy rate and to fill its establishment plan. By the end of 2012, only 5 % of its posts remained vacant.

The allocation and recruitment of staff was implemented in line with the agency's objectives and priorities as adopted by the Management Board in the Multiannual Staff Policy Plan 2013-2015.

##### *Objective and performance indicators (ICS 5)*

Based on the IAS recommendations on the two-year planning and the definition of indicators with emphasis on their use as a tool for performance measurement, the agency took the following actions:

During previous years, FRA developed an Annual Work Programme (AWP) based on consultation between its staff and its stakeholders. A two-year advance planning methodology ensures appropriate inclusions of its stakeholders' needs and the alignment of objectives and priorities with its strategic objectives.

In 2012, the FRA initiated a process to adopt a strategic plan covering the agency's activities from 2013 to 2017. The Management Board and FRA staff discussed at length throughout 2012 the long-term priorities, as well as possible strategic and thematic goals. The final version of this document is expected to be reviewed and adopted by the FRA Management Board at its May 2013 meeting.

FRA introduced a performance measurement system which includes a logic model composed of outputs, as well as immediate, intermediate and ultimate outcomes including indicators. These indicators, at both project





and corporate level, constitute an integral part of the FRA performance measurement framework.

#### *Business continuity (ICS 10)*

FRA further developed specific measures for the effectiveness of its business continuity in order to tackle possible scenarios of business disruption. In 2012 efforts were devoted to the availability of alternative premises. A memorandum of understanding was concluded with the EU Representation office in Vienna.

In addition, the agency is in the process of signing a memorandum of understanding with European Centre for the Development of Vocational Training (Cedefop) for the setting up of a remote back-up site. Sharing existing information technology (IT) infrastructure and building further upon it will create synergies between FRA and Cedefop and benefit both entities. Specific emergency teams have been defined and further testing is planned. The effectiveness of the current structure has been tested during a real case scenario. In November 2012, FRA experienced a sudden disruption of its IT network. The key functionalities were recovered within six hours. Within the following 66 hours, all functionalities were recovered in accordance with the business continuity process.

#### *Document management (ICS 11)*

In its audit report on procurement, IAS recommended improving filing and archiving. FRA took the following actions to ensure its effectiveness.

It put in place the appropriate procedures and policies concerning the management of main working documents to ensure that:

- all amended documents are re-approved;
- changes and the current revision status are properly identified; and
- any unintended use of obsolete documents is prevented.

The agency also undertook several actions to increase the use of electronic filing and archiving through its Document Management System (DMS) including:

- providing additional training and optimising the DMS taxonomy;
- migrating documents from the fileserver;
- ensuring that any new documents created by the majority of the departments were stored in DMS;

- finalising the implementation of a records management process and applying it at departmental level, with IAS assessing positively the introduction of the first operational application of the process in procurement; and
- launching a 2012 recruitment procedure for the position of an Archivist/Document Management assistant to further progress.

The link between MATRIX and its modules with DMS, which enhances the overall use of the ICT application systems, increased the effectiveness of this ICS.

### **2.2.2. Conclusion on the effectiveness of the entire control system**

FRA has put in place measures which ensure that the ICS is effective. It considered the risks and focused on the control resources in those areas where the risks are the greatest, while ensuring adequate control over all other activities.

The following provided reasonable assurance of the effectiveness of the entire internal control system:

- IAS audit on procurement;
- ECA audits;
- external evaluation of the agency;
- IAS risk assessment for the establishment of the Strategic Audit plan 2013-2015; and
- management knowledge gained from daily operations and the implementation of the quality management processes.

Based on all information received and the above analysis, the agency considers that it has an effective, robust and reliable ICS at its disposal.



# 3

## Building blocks towards the declaration of assurance



### 3.1. Building blocks towards reasonable assurance

FRA's assurance architecture is structured around four pillars or 'building blocks'. The materiality criteria, as defined in 'Annex 3 – Materiality criteria', were used to assess potential weaknesses identified by the controls of each building block that could lead to a reservation to the assurance.

#### 3.1.1. Building block 1: Assessment by management

##### *Cost-effectiveness of controls*

In addition to evaluating whether FRA management and control systems have succeeded in reducing the error rate in its underlying transactions below the currently applicable materiality threshold in terms of 'legality and regularity', it is also meaningful to assess whether the control system put in place by the Authorising Officer has been cost-effective in terms of 'sound financial management'.

In December 2011, FRA increased cost effectiveness by reducing its controls in the financial workflow while maintaining the 'four eyes principle'. Under this decision, the authorising officer undertook also the task of financial verification; the role of financial verifying agent was omitted. Based on the results of the 2012 audits, any errors were immaterial. Therefore, the simplified control systems proved to be cost effective.

##### *Conclusions*

The benefits of the new workflows, therefore, outweighed the cost of the extra controls and are, as per sound financial management, deemed adequate and will continue to be used.

##### *Key indicators*

The authorising officer has implemented and documented the appropriate financial circuits. The authorising officer appoints all financial actors.

FRA's financial workflow consists of operational and financial initiation, operational ex-ante control and authorisation. As mentioned earlier, the authorising officer alone assumes the task of the obligatory ex-ante financial verification. The indicator 'Staff devoted to second level ex-ante control', provided in the list below, therefore refers to an optional extra financial verification function that the authorising officer may put in place.

Table: Indicators and targets for cost-effectiveness of controls

Indicator	2012	Target
<b>Input: resources devoted to ex-ante financial verification to ensure legality and regularity of underlying transactions</b>		
Staff devoted to ex-ante control of tendering procedures	1	1
Staff devoted to second level ex-ante control	none	none
<b>Output: Level and nature of controls carried out</b>		
Budget coverage of ex-ante control	100 %	100 %
Budget execution percentage	100 %	95 %
<b>Results of controls: What the controls allowed to discover/remedy</b>		
• Number of complaints received from unsuccessful economic providers against the agency.	None	< 2 % of the bidders
• Number of cases received by the Ombudsman per year relating to the procurement procedures.	None	< 2 % of the bidders
• Number of proceedings initiated by contractors or economic providers against the agency before the Court per year.	None	None
• Number of exceptions <sup>1</sup> registered: Five exceptions are reported for 2012. None of the above recorded exceptions caused a financial loss for the agency's budget.	5	<= than the previous year (i.e. two exceptions in 2011)

Note: In order for an exception to be reported in the Annual Activity Report, the amount involved must be more than €5,000 or for:

- operational expenditure higher than 2 % of the budget of the area of activity involved (article's budget), or
- administrative expenditure higher than 2 % of the chapter's budget.

### Using the best information available

The information used has been retrieved from ABAC, the agency's financial system, the ABB software and the registry of exceptions. ABAC is the European Commission's financial system which FRA and most other agencies use. The ABB software is a time allocation tool in which each staff member records time worked on particular activities and which can then generate reports using these data. FRA uses the results to improve the future allocation of human resources to activities.

### Subsequent events

In December 2012, the European Anti-Fraud Office (OLAF) opened an investigation. In March 2013, OLAF concluded this investigation with no further action.

## 3.1.2. Building block 2: Results from audits during the reporting year

### Internal Audit Service audits

In February 2012, the IAS audited the agency's procurement process to assess and provide an independent assurance on the adequate design and effective application of the ICS for procurement.

The scope of the audit covered the following activities and related processes:

- The appropriateness and effectiveness of controls for planning, implementation and monitoring of the procurement process.
- The compliance of the procurement procedures with the provisions of the Financial Regulation and its Implementing Rules.
- The clear and adequate allocation of roles and responsibilities in the procurement process.

### Strengths/good practices

FRA developed further the IT application 'Tender Contract Manager (TCM)' to generate standard documentation for the procurement process, ensuring consistency of contractual records and their formatting across the different departments initiating the process.

FRA coupled the budget module of the IT application MATRIX, which the agency uses for project management, with the accounting records retrieved from ABAC – making possible a daily on-line update of budgetary implementation.

## Recommendations

The audit resulted in:

- no 'critical'
- 2 'very important' and
- 7 important recommendations

FRA has properly addressed and closed all 2012 recommendations as well as one from 2011 and currently has no open recommendations.

## European Court of Auditors (ECA) audits

The ECA conducted its first audit of the agency's 2012 accounts in September 2012, and the second and final one in February 2013. The final report is expected by the second semester of 2013. The FRA expects that the ECA's opinion on the truth and fairness of the accounts as well as on the legality and regularity of the transactions underlying the accounts will be unqualified as it has been for the last seven years.

## Conclusions

Based on the above, none of the recommendations the IAS provided were flagged as 'critical'. FRA implemented all other recommendations by year-end.

In addition, FRA expects the opinion of the ECA concerning the legality and regularity of the transactions underlying the accounts and sound financial management to be positive. In 2011, the ECA had no observations in the Declaration of Assurance for the agency.

### 3.1.3. Building block 3: Follow-up of reservations and action plans for audits from previous years

#### Follow-up of previous Annual Activity Report reservations

There were no reservations listed on the previous years' Annual Activity Reports.

#### Follow-up of previous years Internal Audit Service (IAS) reports

All the recommendations issued before 2012 were considered adequately implemented and have been closed.

#### Follow-up of previous years European Court of Auditors (ECA) reports

The ECA issued no observations for the 2011 financial year.

#### Follow-up of previous years discharge

The European Parliament made the following recommendations in the framework of the 2010 discharge.

#### Budgetary and financial management, carry-over appropriations and transfers

##### Observation from the Parliament

Low level of payments for Title III, need to reduce the high number of carry overs, high amount of contracting at the end of the year, and need to ensure that its budget planning allows for *ad hoc* requests from the European Parliament as well as for an efficient budget management.

##### Actions taken

To avoid the concentration of contracting at the end of the year, FRA set the budgetary objective in 2012 of committing 75 % of its annual budget by mid-October. By that time, the agency had actually committed 88 % – well above this initial target. This approach helped to implement the budget homogeneously across the financial year.

FRA also developed an ICT software package (Budget Management Module) in 2012 to improve its budgetary planning as well as to link its budgetary execution with the execution of the Annual Work Programme. This resulted in better planning of carry-over appropriations. In March 2012, the planned amount to be carried over was 27 % of the total budget, but, at year-end, the final amount turned out to be 21 %, or 6 % less than planned. This was linked to the low cancellation of carried-over funds (i.e. < 2 %) due to a high level of annual turnover (i.e. 99.4 % for 2011). During the 2012 ECA audit visit, the issue of the planned carry over was discussed. ECA concluded that this approach to planning as well as to the level of carry overs was well justified and acceptable.

In addition, FRA set aside funds to address *ad hoc* requests from EU institutions, including the European Parliament, as foreseen in its founding regulation. The categorisation of its projects in the Annual Work Programme also provide further flexibility by allowing the exchange of second-priority projects for *ad hoc* requests from EU institutions. A past IAS audit report identified this approach as a strength in the planning process. The three categories used in the Annual Work Programme are:

- First priority: Projects that follow up on past work, correspond to key EU priorities and are considered essential to complete work in a specific area.
- Second priority: Projects which, although essential, could be postponed to next year owing to, for example, unforeseen requests by stakeholders such as the European Parliament.
- Third priority: Projects that can be done only if funds become available in the course of the financial year.

### *Human resources and performance*

#### *Observation from the Parliament*

Delays in completing recruitment procedures, allegations of harassment, clarification on the treatment of whistleblowers and need to improve recruitment planning.

#### *Actions taken*

The agency made a significant effort to reduce its staffing backlog. By the end of 2012, it had filled 72 of 76 posts. FRA takes the issue of staff well-being and satisfaction very seriously and conducts a staff well-being survey every two years. It has also introduced an anti-harassment policy and a network of confidential counsellors to minimise situations of conflict at the workplace and address any such allegations in a comprehensive manner.

The agency introduced a revamped budgeting and recruitment planning tool in 2010. The vacancy rate was reduced to 5 % by the end of 2012.

At its 13–14 December 2012 meeting, the Management Board decided to adopt formally rules on whistleblowing after consultation with the European Commission's services. In the meantime, the agency decided to apply *mutatis mutandis* the European Commission's *Guidelines on Whistleblowing* adopted on 9 December 2012.

The agency strengthened its anti-harassment policy by introducing continuous training of confidential counsellors and compulsory training courses for all staff members. Moreover, as per the European Parliament's recommendation, the agency applied the principle of anonymity in administrative inquiries.

### **3.1.4. Building block 4: Assurance received from other Authorising Officers in cases of crossed sub-delegation**

Not applicable.

## **3.2. Reservations**

No reservations issued.

## **3.3. Overall conclusions on the combined impact of the reservations on the declaration as a whole**

No major weaknesses were identified related to the financial management of appropriations inside the agency, so no reservations are made in this context in the declaration.



# 4

## The declaration of assurance



I, the undersigned, Director of the European Union Agency for Fundamental Rights,

In my capacity as authorising officer by delegation,

Declare that the information contained in this report gives a true and fair view.<sup>1</sup>

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the self-assessment, ex-post controls, the observations of the Internal Audit Service and the lessons learned from the reports of the Court of Auditors for the years prior to the year of this declaration.

Confirm that I am not aware of anything not reported here which could harm the interests of FRA and the institutions in general.

Done in Vienna on .....

Morten Kjaerum  
Director

<sup>1</sup> True and fair in this context means a reliable, complete and correct view on the state of affairs in the service.

## ANNEX 1 – Human and Financial Resources

ABB Activity	Human resources by ABB activity	
	Total days	Percentage
Dignity	0	0 %
Freedoms	1,168	6 %
Equality	2,113	12 %
Solidarity	0	0 %
Citizens' rights	0	0 %
Justice	779	4 %
Horizontal operational activities	5,547	30 %
Bodies of the agency	678	4 %
<b>Total operational days</b>	<b>10,285</b>	<b>57 %</b>
<b>Total support days</b>	<b>7,906</b>	<b>43 %</b>
<b>Total agency days</b>	<b>18,191</b>	

Note: \* ABB = Activity-based budgeting  
 The data in the table rely on a snapshot of agency personnel actually employed on 31 December 2012.  
 These data do not constitute full-time equivalent units throughout the year.

Source: FRA, 2012





# ANNEX 2 - Draft annual accounts and financial reports

Table 1: Outturn on C1 commitment appropriations in 2012 (in Mio €)

Chapter		Commitment appropriations authorised*	Commitments made	%
		1	2	3=2/1
<b>Title A-1 STAFF EXPENDITURE</b>				
A-11	STAFF IN ACTIVE EMPLOYMENT	9.19	9.19	100.00 %
A-12	EXPENDITURE ON STAFF RECRUITMENT	0.08	0.08	100.00 %
A-13	MISSIONS AND DUTY TRAVEL	0.49	0.49	100.00 %
A-14	SOCIOMEDICAL INFRASTRUCTURE	0.36	0.36	100.00 %
A-15	MOBILITY EXCHANGES OF CIVIL SERVANTS AND EXPERTS	0.26	0.26	100.00 %
A-16	SOCIAL WELFARE	0.38	0.38	100.00 %
A-17	ENTERTAINMENT AND REPRESENTATION	0.00	0.00	100.00 %
<b>Total Title A-1</b>		<b>10.76</b>	<b>10.76</b>	<b>100.00 %</b>
<b>Title A-2 BUILDINGS EQUIP. &amp; MISC OPERATING EXPENDITURE</b>				
A-20	RENTAL OF BUILDINGS AND ASSOCIATED COSTS	0.79	0.79	100.00 %
A-21	DATA PROCESSING	0.77	0.77	100.00 %
A-22	MOVABLE PROPERTY AND ASSOCIATED COSTS	0.01	0.01	99.88 %
A-23	CURRENT ADMINISTRATIVE EXPENDITURE	0.10	0.10	100.00 %
A-24	POSTAGE AND TELECOMMUNICATIONS	0.11	0.11	100.00 %
A-25	EXPENDITURE ON MEETINGS	0.02	0.02	100.00 %
A-26	STUDIES SURVEYS CONSULTATIONS	0.00	0.00	-
<b>Total Title A-2</b>		<b>1.80</b>	<b>1.80</b>	<b>100.00 %</b>
<b>Title Bo-3 OPERATIONAL EXPENDITURE</b>				
B3-2	FREEDOMS	0.54	0.54	100.00 %
B3-3	EQUALITY	2.69	2.69	100.00 %
B3-6	JUSTICE	2.27	2.27	100.00 %
B3-7	HORIZONTAL OPERATIONAL ACTIVITIES	1.81	1.81	100.00 %
B3-8	BODIES OF THE AGENCY	0.50	0.50	100.00 %
B3-9	RESERVE FOR TITLE 3	0.00	0.00	-
<b>Total Title Bo-3</b>		<b>7.82</b>	<b>7.82</b>	<b>100.00 %</b>
<b>TOTAL FRA</b>		<b>20.38</b>	<b>20.38</b>	<b>100.00 %</b>

Source: FRA, 2012

Figure 1: Outturn on commitment appropriations (%)

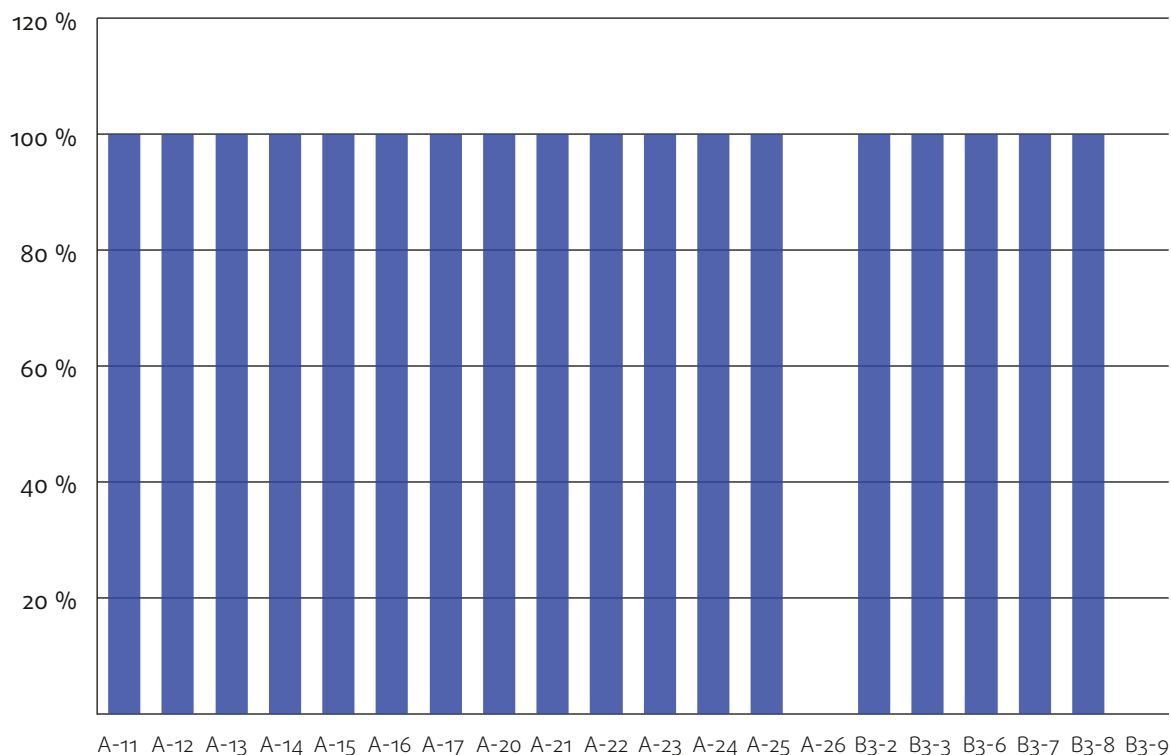


Table 2: Outturn on payment appropriations in 2012 (in Mio €)

Chapter		Payment appropriations authorised*	Payments made	%
		1	2	3=2/1
<b>TITLE A-1 STAFF EXPENDITURE</b>				
A-11	STAFF IN ACTIVE EMPLOYMENT	9.24	9.19	99.51 %
A-12	EXPENDITURE ON STAFF RECRUITMENT	0.08	0.08	96.40 %
A-13	MISSIONS AND DUTY TRAVEL	0.53	0.46	86.42 %
A-14	SOCIOMEDICAL INFRASTRUCTURE	0.37	0.31	84.09 %
A-15	MOBILITY EXCHANGES OF CIVIL SERVANTS AND EXPERTS	0.26	0.26	100.00 %
A-16	SOCIAL WELFARE	0.39	0.37	95.56 %
A-17	ENTERTAINMENT AND REPRESENTATION	0.00	0.00	94.27 %
<b>TOTAL A-1</b>		<b>10.87</b>	<b>10.67</b>	<b>98.20 %</b>
<b>TITLE A-2 BUILDINGS EQUIP. &amp; MISC OPERATING EXPENDITURE</b>				
A-20	RENTAL OF BUILDINGS AND ASSOCIATED COSTS	0.82	0.79	97.11 %
A-21	DATA PROCESSING	1.01	0.88	87.25 %
A-22	MOVABLE PROPERTY AND ASSOCIATED COSTS	0.05	0.05	99.32 %
A-23	CURRENT ADMINISTRATIVE EXPENDITURE	0.12	0.07	62.18 %
A-24	POSTAGE AND TELECOMMUNICATIONS	0.16	0.14	87.48 %
A-25	EXPENDITURE ON MEETINGS	0.02	0.02	100.00 %
A-26	STUDIES SURVEYS CONSULTATIONS	0.28	0.28	100.00%
<b>TOTAL A-2</b>		<b>2.44</b>	<b>2.22</b>	<b>91.14 %</b>

TITLE Bo-3 OPERATIONAL EXPENDITURE				
B3-2	FREEDOMS	1.81	1.30	71.90 %
B3-3	EQUALITY	4.25	2.53	59.59 %
B3-6	JUSTICE	4.59	3.94	85.82 %
B3-7	HORIZONTAL OPERATIONAL ACTIVITIES	2.41	1.28	52.85 %
B3-8	BODIES OF THE AGENCY	0.55	0.47	85.92 %
B3-9	RESERVE FOR TITLE 3	0.00	0.00	-
<b>TOTAL Bo-3</b>		<b>13.61</b>	<b>9.52</b>	<b>69.94</b>
<b>TOTAL FRA</b>				
		<b>26.92</b>	<b>22.41</b>	<b>83.27 %</b>

Note: \*Payment appropriations authorised include, in addition to the budget voted by the legislative authority, as well as appropriations carried over from the previous exercise.

Source: FRA, 2012

Figure 2: Outturn on payment appropriations (%)

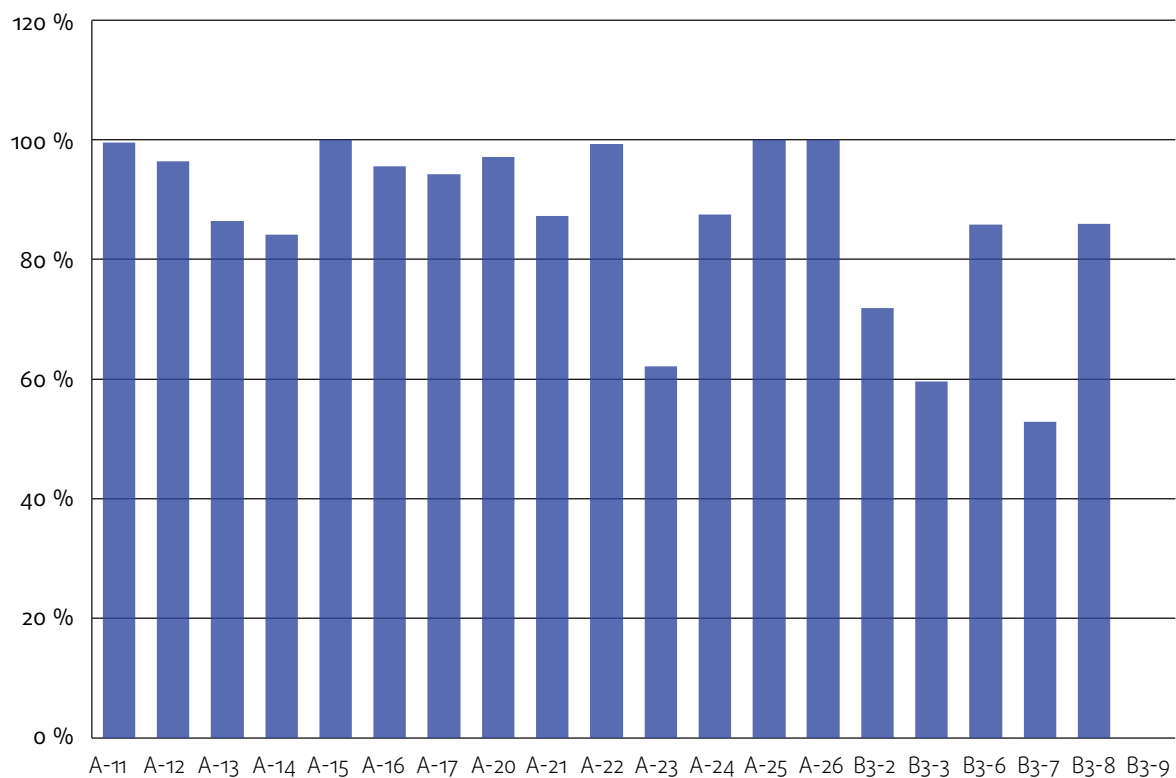


Table 3: Breakdown of commitments to be settled at 31 December 2012

Chapter		2012 Commitments to be settled			
		Commitments 2012	Payments 2012	RAL 2012	% to be settled
		1	2	3=1-2	4=1-2//1
<b>Title A-1 STAFF EXPENDITURE</b>					
A-11	STAFF IN ACTIVE EMPLOYMENT	9.19	-9.15	0.04	0.45 %
A-12	EXPENDITURE ON STAFF RECRUITMENT	0.08	-0.08	0.00	3.60 %
A-13	MISSIONS AND DUTY TRAVEL	0.49	-0.41	0.07	14.82 %
A-14	SOCIOMEDICAL INFRASTRUCTURE	0.36	-0.30	0.06	16.36 %
A-15	MOBILITY EXCHANGES OF CIVIL SERVANTS AND EXPERTS	0.26	-0.26	0.00	0.00 %
A-16	SOCIAL WELFARE	0.38	-0.37	0.02	3.99 %
A-17	ENTERTAINMENT AND REPRESENTATION	0.00	0.00	0.00	5.73 %
<b>Total Title A-1</b>		<b>10.76</b>	<b>-10.57</b>	<b>0.19</b>	<b>1.77 %</b>
<b>Title A-2 BUILDINGS EQUIP. &amp; MISC OPERATING EXPENDITURE</b>					
A-20	RENTAL OF BUILDINGS AND ASSOCIATED COSTS	1.28	-1.26	0.02	1.82 %
A-21	DATA PROCESSING	0.77	-0.65	0.12	15.33 %
A-22	MOVABLE PROPERTY AND ASSOCIATED COSTS	0.01	-0.01	0.00	3.57 %
A-23	CURRENT ADMINISTRATIVE EXPENDITURE	0.10	-0.06	0.04	40.03 %
A-24	POSTAGE AND TELECOMMUNICATIONS	0.11	-0.09	0.02	14.82 %
A-25	EXPENDITURE ON MEETINGS	0.02	-0.02	0.00	0.00 %
A-26	STUDIES SURVEYS CONSULTATIONS	0.00	0.00	0.00	-
<b>Total Title A-2</b>		<b>2.29</b>	<b>-2.09</b>	<b>0.20</b>	<b>8.67%</b>
<b>Title Bo-3 OPERATIONAL EXPENDITURE</b>					
B3-2	FREEDOMS	0.54	-0.09	0.45	83.07 %
B3-3	EQUALITY	2.69	-0.99	1.70	63.29 %
B3-6	JUSTICE	2.27	-1.62	0.65	28.58 %
B3-7	HORIZONTAL OPERATIONAL ACTIVITIES	1.81	-0.69	1.12	61.80 %
B3-8	BODIES OF THE AGENCY	0.53	-0.46	0.07	13.39 %
B3-9	RESERVE FOR TITLE 3	0.00	0.00	0.00	-
<b>Total Title Bo-3</b>		<b>7.85</b>	<b>-3.85</b>	<b>3.99</b>	<b>50.88 %</b>
<b>TOTAL FRA</b>		<b>20.89</b>	<b>-16.51</b>	<b>4.38</b>	<b>20.97 %</b>



Figure 3: Breakdown of commitments remaining to be settled (in Mio €)

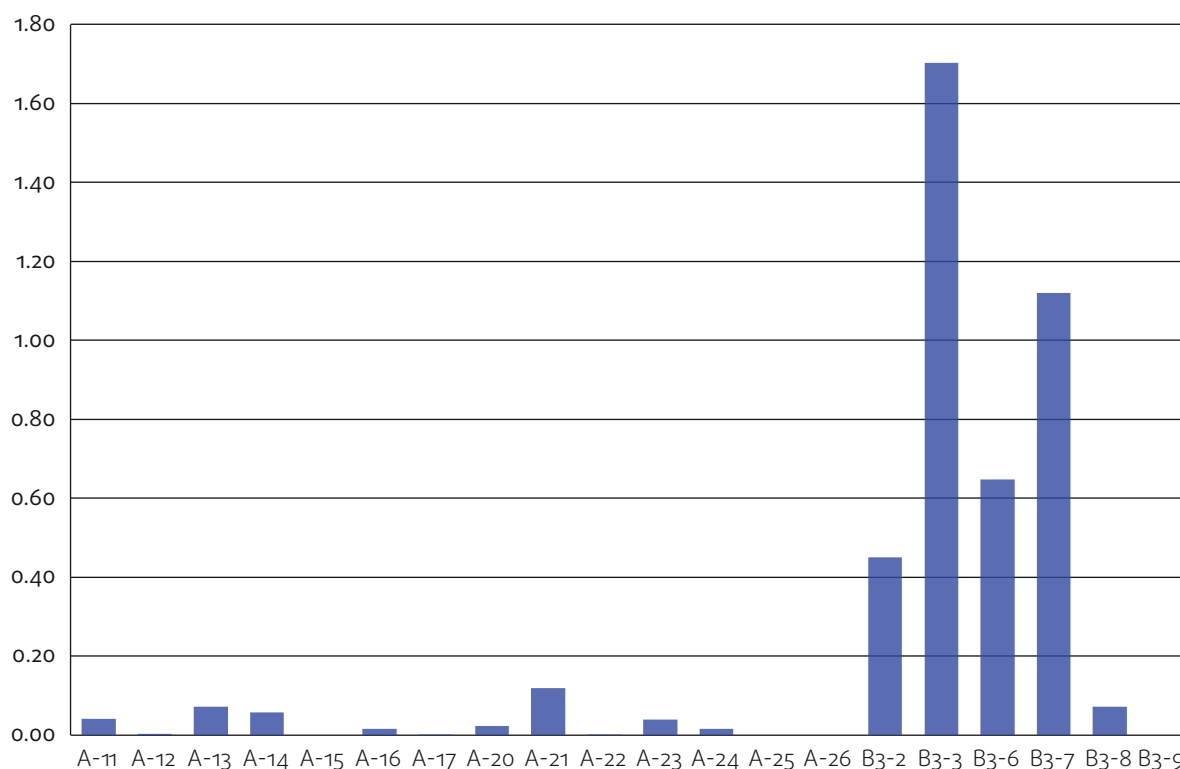


Table 4: Balance sheet

BALANCE SHEET*		
BALANCE SHEET	2012	2011
<b>A.I. NON CURRENT ASSETS</b>	<b>1,892,067.37</b>	<b>2,047,352.97</b>
A.I.1. Intangible Assets	181,861.14	174,638.40
A.I.2. Property, plant and equipment	1,710,206.23	1,872,714.57
<b>A.II. CURRENT ASSETS</b>	<b>5,220,081.92</b>	<b>7,759,734.56</b>
A.II.2. Short-term Pre-Financing	0.00	61,990.00
A.II.3. Short-term Receivables	251,847.35	267,720.18
A.II.5. Cash and Cash Equivalents	4,968,234.57	7,430,024.38
<b>ASSETS</b>	<b>7,112,149.29</b>	<b>9,807,087.53</b>
P.I.2. Provisions (long term)	-	-
<b>P.III. CURRENT LIABILITIES</b>	<b>1,921,315.67</b>	<b>1,934,234.96</b>
P.III.2. Short-term provisions	246,083.14	29,010.31
P.III.4. Accounts Payable	1,675,232.53	1,905,224.65
<b>LIABILITIES</b>	<b>1,921,315.67</b>	<b>1,934,234.96</b>
<b>NET ASSETS (ASSETS less LIABILITIES)</b>	<b>5,190,833.62</b>	<b>7,872,852.57</b>
P.I.2. Accumulated Surplus / Deficit	5,190,833.62	7,872,852.57
<b>TOTAL NET ASSETS/LIABILITIES</b>	<b>5,190,833.62</b>	<b>7,872,852.57</b>

Note: \*The figures included in Table 4 are provisional since they are, at this date, still subject to audit by the Court of Auditors. It is thus possible that amounts included in these tables may have to be adjusted following this audit.

Source: FRA, 2012

Table 5: Economic outturn account\*

ECONOMIC OUTTURN ACCOUNT		
ECONOMIC OUTTURN ACCOUNT	2012	2011
<b>II.1.1. OPERATING REVENUES</b>	<b>20,563,267.54</b>	<b>21,435,391.60</b>
II.1.1.1. Other operating revenue	-20,563,267.54	21,435,391.60
<b>II.1.2. OPERATING EXPENSES</b>	<b>-23,245,286.49</b>	<b>-21,321,034.28</b>
II.1.2.1. Administrative Expenses	-13,790,079.57	-12,303,129.73
II.1.2.2. Operating Expenses	-9,455,206.92	-9,017,904.55
<b>ECONOMIC OUTTURN FOR THE YEAR (SURPLUS)/DEFICIT</b>	<b>- 2,682,018.95</b>	<b>(114,357.32)</b>

Note: \*The figures included in Table 5 are provisional since they are, at this date, still subject to audit by the ECA. It is thus possible that amounts included in these tables may have to be adjusted following this audit.

Source: FRA, 2012

Table 6: Average payment times for 2012

Legal Times							
Maximum Payment Time (Days)	Total Number of Payments	Number of Payments within Time Limit	Percentage	Average Payment Times (Days)	Number of Late Payments	Percentage	Average Payment Times (Days)
30	1,367	1,214	88.81 %	11.87	153	11.19 %	43.01
45	874	689	78.83 %	12.22	185	21.17 %	89.66

<b>Total Number of Payments</b>	<b>2,241</b>	<b>1,903</b>	<b>84.92 %</b>		<b>338</b>	<b>15.08 %</b>	
<b>Average Payment Time</b>	<b>20.53</b>			<b>12.00</b>			<b>68.55</b>

Suspensions							
Average Report Approval Suspension Days	Average Payment Suspension Days	Number of Suspended Payments	% of Total Number	Total Number of Payments	Amount of Suspended Payments	% of Total Amount	Total Paid Amount
2	38	46	2.05 %	2,241	498,510.33	2.96 %	16,869,598.66

Late Interest paid in 2012			
Agency	GL Account	Description	Amount (€)
			0

Source: FRA, 2012

Table 7: Situation on revenue and income in 2012

Title	Description	Year of Origin	Revenue and Income recognised	Revenue and Income cashed	Outstanding Balance
20-0	European Union subsidy	2012	20,376,020.00	20,376,020.00	0.00
90-0	Miscellaneous revenue	2012	298,227.36	298,227.36	0.00
<b>TOTAL</b>			<b>20,674,247.36</b>	<b>20,674,247.36</b>	<b>0.00</b>

Source: FRA, 2012

Table 8: Recovery of undue payments

RECOVERY ORDERS ISSUED IN 2012	TOTALS	
Year of Origin (commitment)	Number	RO Amount
Sum:	0	0.00

EXPENSES	Number	Amount
INCOME LINES IN INVOICES	0	0.00

	Number	Amount
NON ELIGIBLE AMOUNT IN COST CLAIMS	0	0.00

	No error / irregularity	
	Number	Amount
CREDIT NOTES	2	1,336.91

Source: FRA, 2012

Table 9: Ageing balance of recovery orders at 31/12/2012

Year of Origin	Number at 01/01/2012	Number at 31/12/2012	Evolution	Open Amount (€) at 01/01/2012	Open Amount (€) at 31/12/2012	Evolution
2012	0	0	0.00 %	0.00	0.00	0.00 %
Totals	0	0	0.00 %	0.00	0.00	0.00 %

Source: FRA, 2012

Table 10: Recovery order waivers in 2012 &gt; €100,000

	Waiver Central Key	Linked RO Central Key	RO Accepted amount (€)	LE Account Group	Commission Decision	Comments
<b>Total</b>			<b>0</b>			
<b>Number of RO waivers</b>			<b>0</b>			

Justifications:

N/A

Source: FRA, 2012

Table 11: Census of negotiated procedures

#### NEGOTIATED PROCEDURES – CONTRACTS > €60.000

Count:	0
Total amount:	0

Number	Contractor(s)		Type of contract	Description	Amount (€)	Legal base
	Name	Address				

None

Source: FRA, 2012

Table 12: Building contracts

#### BUILDING CONTRACTS

Count:	0
Total amount:	0

Number	Contractor(s)		Type of contract	Description	Amount (€)	Legal base
	Name	Address				

N/A

Source: FRA, 2012





Table 13: Contracts declared secret

SECRET CONTRACTS							
Count:							0
Total amount:							0
Number	Contractor(s)		Type of contract	Description	Amount (€)	Legal base	
	Name	Address					

N/A

Source: FRA, 2012

## ANNEX 3 – Materiality criteria

Materiality is the basis for defining significant deficiencies in both qualitative and quantitative terms. The materiality criteria used by FRA and the way of assessing their significance is presented below.

Qualitative criteria are linked to failure in achieving FRA's short-term objectives, reputational risks of the agency, significant deficiencies in the agency's control systems and repetitive errors. These involve use of resources, sound financial management, and legality and regularity of the transactions. Their significance is judged on the basis of:

- their nature and scope of the weakness;
- duration of the weakness;
- the existence of compensatory measures (mitigating controls which reduce the impact of the weakness); and
- the existence of effective corrective actions to correct the weaknesses (action plans and financial corrections) which have had a measurable impact.

In quantitative terms a deficiency is considered material in cases where the financial impact or risk of loss is greater than 2 % of the agency's Area of Activity's budget or more than €5,000. In addition, the weakness must imply a significant reputational risk.



# ANNEX 4 – Internal Control Template(s) (ICT) for budget implementation

CHARACTERISTICS OF THE AGENCY'S ENVIRONMENT	
<p><b>1. Inherent nature and characteristics of FRA's environment and stakeholders</b></p> <p>Key inherent risks insofar they impact on reasonable assurance (including limit and extent of its responsibilities and those of other stakeholders):                      The specific assessment of risks impacting 2012 activities and relevant mitigating actions is reported in Annex 5.</p>	
<p><b>Management mode:</b>                      Direct centralised</p> <p><b>Key figures:</b>                      Volume of contracts by type of contract:                      Supply: €430,719.34                      Service: €9,945,740.70</p> <p>Volume of contracts by type of procedures:                      Open: €7,246,803.92                      Restricted: €66,164.83                      Negotiated: €272,305.68                      Inter-institutional: €1,976,860.88                      Single Tender: €172,301.80                      Others: €642,022.93</p> <p>Number of contractors: 162                      Average value of contracts: €17,737.54</p>	<p><b>Chart showing contracted amounts by type of contract and type of procedure</b></p> <p>The top chart is a 3D bar chart comparing 'Supply' and 'Service' contracts. The y-axis ranges from 0 to 10,000,000. The 'Service' bar is approximately 10 million, while the 'Supply' bar is approximately 0.4 million.</p> <p>The bottom chart is a 2D bar chart showing the breakdown of 'Open' procedures. The y-axis ranges from 0 to 8,000,000. The categories and their approximate values are: Open (7.2 million), Restricted (0.07 million), Negotiated (0.27 million), Interinstitutional (1.98 million), Single Tender (0.17 million), and Others (0.64 million).</p>

<b>2. Management and control systems: stages and main actors</b>	
<p><b>Selection process:</b> (of intermediaries, contractors etc.), including preventive controls</p>	<ul style="list-style-type: none"> <li>Preventive actions are implemented with the aim of reinforcing sound financial management, enhancing open and transparent procurement procedures, promoting accountability and integrity of financial and operational actors as well as the reporting of irregularities by staff (including measures ensuring effective protection of whistleblowers), and improving internal controls.</li> <li>Procurement needs are clearly defined and justified from an economic or operational point of view and approved by the Authorising Officer.</li> <li>For all contracts with a value greater than €60,000 an evaluation committee with five (5) members is set up for the selection of the contractors. All members of the evaluation committees are asked to sign a document reminding them of their obligation to declare any potential conflict of interest.</li> <li>Before a contract is signed, contractors must show that they are not in one of the situations of exclusion specified in the Financial Regulation (e.g. bankruptcy, failure to pay tax or social security contributions, convicted of an offence concerning their professional conduct). Before each transaction is authorised, staff are automatically alerted by the computerised financial system if the European Commission is aware of this or any similar problem. Information on exclusions is shared with all organisations involved in managing EU funds, including the Member States, with effect from 1 January 2009 (Early Warning System).</li> <li>A procurement steering committee is consulted with regard to all procurement procedures.</li> <li>Physical protection of the offers submitted (locked room and segregation between original and copies) is foreseen.</li> </ul>
<p><b>Communication and information:</b> measures to improve the quality of financial management and provision of supporting data by contractors and intermediaries</p>	<ul style="list-style-type: none"> <li>Transparency measures: calls for tender are published in the Official Journal and on FRA's website. Updated information and FAQ are posted regularly on the website.</li> <li>Adequate communication is provided to the unsuccessful tenderers.</li> <li>Computerised system is used to record the contracts; the financial transactions related to the contracts are recorded in ABAC.</li> <li>Technical training in procurement as well as information campaigns and workshops on ethics and integrity are given to all staff involved in the procurement process.</li> <li>All staff involved in financial management bear responsibility for alerting their Head of Department or OLAF if they suspect any irregular, illegal or criminal activity.</li> </ul>
<p><b>Detective and corrective controls:</b> Checks and monitoring during the initial phases of the programme/contract Checks and monitoring during the final/closure phases of the programme/contract</p>	<p>Financial circuits: Every financial transaction requires at least two people to be involved (the 'four eyes' principle). One person must initiate the transaction and a second person must verify it. In particular:</p> <ul style="list-style-type: none"> <li><i>Title I – Staff expenditure</i> Simplified workflow applies for routine administrative expenditure under Title I. The initiation is done in the Human Resources Department. The verification and authorisation process lies with the Authorising Officer.</li> <li><i>Title II – Operating expenditure, and Title III – Operational expenditure</i> The operational part of the workflow (i.e. achievement of results) is undertaken by the operational verifying agents. The operational initiation and verification are under the responsibility of the department concerned. The financial initiation is centralised in Administration – Finance and Procurement. The financial verification process lies with the Authorising Officer.</li> </ul> <p>The financial actors are selected taking into consideration their professional experience, qualifications, skills and competences. Each person involved in the transaction has been nominated by the Authorising Officer to carry out the task and their names are recorded in the computerised financial system.</p>
<p><b>Preventive and corrective controls and audit:</b> Desk reviews, on-the-spot audits carried out either <i>ex-ante</i> or <i>ex-post</i></p>	<ul style="list-style-type: none"> <li>In the context of the risk assessment preventive actions are agreed and implemented.</li> <li>FRA takes prompt corrective measures addressing all IAS's and ECA's observations and recommendations.</li> </ul>



<p><b>Anti-fraud measures:</b> Fraud prevention and detection measures taken, like anti-fraud strategy, systematic controls and risk analysis, close monitoring of selected contracts, etc.</p>	<ul style="list-style-type: none"> <li>• The procurement and financial processes are driven by strong procedures implementing active controls at all levels.</li> <li>• The ‘four eyes’ principle applied at each level gives reasonable assurance of compliance with the legal framework.</li> <li>• A declaration of absence of conflict of interest is signed by panel members.</li> </ul>
<p><b>3. Feedback which enables control activities to be optimised</b></p>	
<p><b>Verification that processes are working as designed</b></p>	<ul style="list-style-type: none"> <li>• Risk assessment process serves to highlight key issues and to ensure that mitigating action is taken.</li> <li>• Self-assessment of the effectiveness of the internal control arrangements is performed on an annual basis.</li> <li>• Self-assessment of the compliance with internal control standards is performed on an annual basis.</li> </ul>
<p><b>Monitoring of performance:</b> of independent bodies, 3<sup>rd</sup> party auditors, externally contracted auditors</p>	<ul style="list-style-type: none"> <li>• Feedback is provided by the IAS, the ECA and the European Parliament in the context of the discharge procedure. Recommendations made by these bodies are followed up systematically.</li> </ul>

# ANNEX 5 – Main achievements and output

## Main achievements by projects AWP 2012

### Asylum, immigration and integration of migrants

#### ➤ Fundamental Rights of Irregular Migrants in the European Union

This project examines key aspects of the social situation of irregular migrants in the European Union (EU) in order to assess the extent to which their fundamental rights are respected and protected. Using interviews from in-depth fieldwork in combination with desk research, the project addresses issues in relation to health, housing, education, social care, employment status and fair working conditions and access to remedies against violations and abuse.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Meeting with Stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and analyses provided</li> </ul>	<ul style="list-style-type: none"> <li>Three follow-up meetings took place in February, March and May 2012. The meetings resulted in: follow-up research on the costing of healthcare; and in the FRA document on detection and apprehension practices</li> </ul>
<ul style="list-style-type: none"> <li>Report of meetings with stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads from the FRA website</li> </ul>	<ul style="list-style-type: none"> <li>Fundamental rights of irregular migrants (FRIM) comparative report: 3,015</li> <li>FRIM healthcare report: 2,959</li> <li>FRIM domestic workers report: 1,679</li> </ul>
<ul style="list-style-type: none"> <li>Feedback reports</li> </ul>	<ul style="list-style-type: none"> <li>Number of copies requested</li> </ul>	<ul style="list-style-type: none"> <li>FRIM comparative report: 457</li> <li>FRIM healthcare report: 871</li> <li>FRIM domestic workers report: 28</li> </ul>

#### ➤ Handbook on European law in the field of asylum, immigration and border control

The project involves a partnership with the European Court of Human Rights, with the objective of raising awareness and knowledge amongst judges and legal practitioners of European law in the areas of asylum, immigration and border control.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Publication of a handbook in selected languages</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and analyses provided</li> </ul>	<ul style="list-style-type: none"> <li>Draft handbook completed in December 2012 and sent for translation into 10 languages; publication scheduled for June 2013</li> <li>Comments received from various Council of Europe entities, European Asylum Support Office (EASO), Frontex and the European Council on Refugees and Exiles (ECRE)</li> </ul>
<ul style="list-style-type: none"> <li>Meeting with stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>No meeting held in 2012</li> </ul>	

### Information society and, in particular, respect for private life and protection of personal data

#### ➤ Data protection: redress mechanisms and their use

The project looks at existing procedures and the legal consequences of data protection violations in all EU Member States. The findings will provide insights into why available redress mechanisms in the area of data protection are not used to the full extent that they could be. The project involves legal and social fieldwork research.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Meeting with stakeholders</li> <li>Meeting report</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses provided</li> <li>Relevance of the meetings to the specific objectives</li> <li>Stakeholders' perception of the relevance of this work to their needs</li> <li>Number of participants – Target number: 30</li> </ul>	<ul style="list-style-type: none"> <li>Number of references to the project: 6</li> <li>Number of participants: 24</li> </ul>
<ul style="list-style-type: none"> <li>Lecture on preliminary project results at the European Law Academy (ERA), Trier</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses provided</li> <li>Relevance of the meetings to the specific objectives</li> <li>Stakeholders' perception of the relevance of this work to their needs</li> <li>Number of participants – Target number: 71</li> </ul>	<ul style="list-style-type: none"> <li>Number of participants: 71</li> </ul>

➤ **Handbook on European data protection case law**

The planned peer-review meeting with key data protection specialists and stakeholders to discuss the Handbook on European data protection case law did not take place in 2012. Instead, FRA used the results of the stakeholder consultation that took place on 21 February 2011 and discussed the handbook in bilateral meetings with key stakeholders (Council of Europe, the key project partner, the European Commission and the European Data Protection Supervisor (EDPS)) which participated in the FRA May Symposium on 10 May 2012 (for more information on the symposium, see Section 1.2.2 of this Annual Activity Report). FRA conducted background research and prepared the contract in 2012. An inception meeting with the contractor took place on 14 December 2012.

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Meeting minutes</li> </ul>		<ul style="list-style-type: none"> <li>The low cost contract was signed and the project was kicked off by the end of 2012.</li> </ul>

➤ **FRA opinion on proposed EU data protection reform package**

Following a request by the European Parliament on 5 September 2012 for an analysis of the fundamental rights issues associated with the proposed EU data protection reform package, FRA issued its opinion on the draft legislation on 1 October 2012. This FRA opinion builds in particular on opinions published by the EDPS and the Article 29 Working Party which focused on data protection. It complements these by examining other relevant rights in the Charter of Fundamental Rights of the European Union. It focuses mainly on fundamental rights other than data protection, since the EDPS and Article 29 Working Party opinions thoroughly addressed this fundamental right. The FRA opinion looks at both the draft regulation and directive as part of one single data protection 'reform package'.

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Publication of the FRA Opinion</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads and relevant website user statistics from the FRA website</li> <li>Number of copies disseminated</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads: 811 (EN)</li> <li>Number of copies disseminated: 339 (EN)</li> </ul>
<ul style="list-style-type: none"> <li>Presentation of the FRA Opinion</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholders' perception of the relevance of this work to their needs and to the specific objectives</li> </ul>	<ul style="list-style-type: none"> <li>Presentations of the FRA opinion on the data protection reform package in the European Parliament at the Interparliamentary Committee meeting on the reform of the EU Data protection framework – building trust in a digital and global world (Brussels, 9 and 10 October 2012) and at a panel discussion on EU data protection reform: the Impact for fundamental rights at the opening of the FRA exhibition on fundamental rights (Brussels, 26 November 2012). Positive feedback received from EU legislators (Council and Parliament), key stakeholders (European Commission, Article 29 Working Party and EDPS) as well as members of national parliaments.</li> </ul>



## Visa and border control

### ➤ Treatment of third-country nationals at the EU's external borders

The project has two main components in relation to fieldwork-based data collection. The first component focuses on the southern maritime borders of the EU, where the overall objective is to contribute to enhancing the protection of fundamental rights of third-country nationals during rescue or interception operations at sea. This component of the research was successfully accomplished in 2011, with FRA observing operations at sea – including Frontex-related operations. The second component examined the situation at the EU's external borders with respect to selected land crossing points and airports. It identified possible shortcomings as well as good practices in the way border checks are conducted at the main entry points into the EU.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Presentation of preliminary results</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided to the specific objectives</li> <li>• Number of downloads and relevant website user statistics from the FRA website</li> </ul>	<ul style="list-style-type: none"> <li>• Preliminary results were presented in November 2012 at the European Patrol Network, a gathering of representatives of national authorities of the EU involved in maritime patrols, and in December 2012 to the Board of Experts for the training of Schengen evaluators and the Schengen Evaluation Working Party.</li> <li>• The report was scheduled to be launched in 2013.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Meetings with stakeholders</i></li> </ul>	<ul style="list-style-type: none"> <li>• Target number of attendants: 22</li> </ul>	<ul style="list-style-type: none"> <li>• European Patrol Network: approximately 50 state representatives</li> <li>• Board of Experts: some 10 Members</li> <li>• SchEval Working Party: all EU Member States, Schengen Associated Countries, Frontex, European Commission, General Council Secretariat</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Report of stakeholder meetings</i></li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholders' perception of the relevance of this work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>• FRA research acknowledged in meeting protocols</li> </ul>

### ➤ Border control and fundamental rights

Following the signature of a cooperation arrangement between FRA and Frontex in May 2010, FRA will continue to develop its work with Frontex in the areas covered by the agreement, including, in particular, the provision of operational advice as well as training of Frontex staff/border guards on fundamental rights. The project will also reference the work of EASO.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Publication of research reports and other material</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided</li> <li>• Number of downloads from website</li> </ul>	<ul style="list-style-type: none"> <li>• Not applicable as no research was conducted or published</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Meetings with stakeholders</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of meetings to the specific objectives, participants' feedback</li> </ul>	<ul style="list-style-type: none"> <li>• FRA considered an equal player in Frontex organised meetings with Member State representatives</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Report of stakeholder meetings</i></li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholder perception of relevance of FRA work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>• FRA elected as co-chair of Consultative Forum; FRA selected for panel interviewing the Fundamental Rights Officer, FRA-Frontex cooperation arrangement positively assessed by Frontex</li> </ul>

## Racism, xenophobia and related intolerance

### ➤ Survey on discrimination and hate crime against Jews in selected EU Member States

In 2012 the FRA survey on discrimination and hate crime against Jews in selected EU Member States collected data on Jewish people's experiences and perceptions of antisemitism. The work was carried out using an online survey tool, based on a questionnaire designed by the FRA.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Documents related to survey data collection</li> <li>Final deliverables related to the survey fieldwork</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information provided to the specific objectives of the project</li> <li>Quality, timeliness and relevance of the project deliverables</li> </ul>	<ul style="list-style-type: none"> <li>Survey questionnaire and other materials related to data collection finalised and translated for use in all nine EU Member States selected for the survey, including more than one language version per country, where necessary.</li> <li>All final survey deliverables received, including the final technical report, the final results report, the executive summary, the survey data set (5,900 respondents) and the codebook.</li> </ul>
<ul style="list-style-type: none"> <li>Information provided to key stakeholders concerning the progress of the survey</li> <li>Meeting with stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses provided to the specific objectives</li> <li>Number and profile of participants in two meetings</li> <li>Relevance of the meetings to the specific objectives, based on the participants' feedback</li> </ul>	<ul style="list-style-type: none"> <li>Project update sent to key stakeholders</li> <li>The participants in the stakeholder meetings represented the countries where the survey was to be carried out, and selected international organisations. Target number of participants in two stakeholder meetings: 28. Actual number of participants achieved: 23.</li> </ul>
<ul style="list-style-type: none"> <li>Production of a factsheet</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads (factsheet): 1,134</li> </ul>

### ➤ Lessons from the Holocaust (2006–2012)

In 2006, the FRA developed a project on the Holocaust and human rights education combining research on the role of commemoration sites, original sites and historical museums in Holocaust education with EU human rights education. This also included the development of a practical toolkit for teachers and facilitating a network and community of practitioners in the field of the Holocaust and human rights education.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Interactive website</li> <li>Closing event</li> </ul>	<ul style="list-style-type: none"> <li>Number of visits to website</li> <li>Relevance of the information and the analyses provided to the specific objectives of the project</li> </ul>	<ul style="list-style-type: none"> <li>The Toolkit was hosted via FRA and Yad Vashem web site. FRA web site reported 12,177 visits, Yad Vashem web site reported 11,834 visits of the web site between November 2011 and November 2012.</li> <li>According to project evaluation conducted in 2012, 99 % of stakeholder respondents found the Handbooks and Toolkit useful and relevant for their work. Of the total, 92 % found information and analyses provided in the report <i>Discover the past for the future</i> comprehensive and said it facilitated understanding of the problems facing both the education system and memorial sites and museums. Satisfaction with the project's results ran high, with 83 % of the stakeholder respondents reporting they were satisfied.</li> <li>The same project evaluation found that 99 % of respondents found the activities conducted during the conferences relevant to the goals envisaged by the project.</li> <li>About 300 participants took part in a conference organised by FRA in partnership with the European Commission and the Danish Institute for International Studies in 2012.</li> </ul>

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Training workshop</i></li> </ul>	<ul style="list-style-type: none"> <li>• Use of educational materials by stakeholders</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> <li>• Relevance of the meetings to the specific objectives, based on the participants' feedback</li> <li>• Target number of participants: 30</li> </ul>	<ul style="list-style-type: none"> <li>• Two training events in 2012 and one closing (conference) event were organised.</li> <li>• There were 90 participants in training/peer review.</li> <li>• Of the respondents, 91 % said that the project successfully facilitated networking between practitioners and 67 % thought that the findings of the report led to changes in educational policies in schools and programmes at memorial sites.</li> <li>• Of those surveyed, 91 % found the Toolkit and Handbook <i>Human rights education at Holocaust memorial sites across the European Union: An overview of practices</i> to be useful in highlighting practices/projects which merge Holocaust and human rights education approaches. All respondents found the Handbook <i>Excursion to the past—teaching for the future: Handbook for teachers</i> useful in preparing on-site student visits.</li> <li>• Of the respondents, 99 % found the activities conducted during the conferences relevant to the goals envisaged by the project.</li> </ul>

### Discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation and against persons belonging to minorities and any combination of these grounds

#### ➤ Fundamental rights of persons with intellectual disabilities and persons with mental health problems

The project aims to better understand how the fundamental rights of persons with mental health problems and persons with intellectual disabilities are safeguarded in the EU and where violations of rights occur. To this end, the project team developed various communication tools, such as easy-to-read materials (developed with the participation of persons with disabilities), factsheets and a postcard explaining the rights-based approach to disability.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Meetings with stakeholders</i></li> <li>• <i>Meeting Reports</i></li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholders' assessment of the relevance of this project to their needs</li> </ul>	<p><b>ACTIVE PARTICIPATION</b></p> <ul style="list-style-type: none"> <li>• 4 March – European Committee for the Prevention of Torture (CPT) meeting – presentation of <i>Involuntary placement and involuntary treatment of persons with mental health problems</i></li> <li>• 28 March – European Parliament hearing on violence against women with disabilities organised by the European Disability Forum</li> <li>• 8 May – Colloquium 'CRPD and EU Structural Funds: The way ahead for independent living' organised by the UN OHCHR/UN</li> <li>• 10–11 May – Commission Disability High Level Group</li> <li>• 21–22 May – NHRI Convention on the Rights of Persons with Disabilities (CRPD) taskforce meeting Copenhagen, Autism Conference, Sofia</li> <li>• 14–16 June – Mental Health Europe Conference 2012, Split</li> <li>• 11–13 September – Lancaster Disability Conference</li> <li>• 13–14 September – Conference 'Pathways to Inclusion: Inclusive Education and Learning'</li> <li>• 16 October – European Economic and Social Committee Public Hearing on 'UN Convention on the Rights of Persons with Disabilities'</li> <li>• 20 November – European Deinstitutionalisation Expert group</li> <li>• 3 December – International Day of People with Disabilities</li> <li>• 14 December – Academic Network of European Disability Experts (ANED), Annual meeting</li> </ul>

Outputs	Indicators	Results
		<p><b>NO ACTIVE ROLE</b></p> <ul style="list-style-type: none"> <li>• 23 January – World Future Council</li> <li>• 6 March – Genetic discrimination</li> <li>• 5-6 March – Conference on accessibility and participation</li> <li>• 23 April – Open Meeting of the European Expert Group on Transition from Institutional to Community based Care</li> <li>• 11-13 June 2012 – Conference ‘Universal Design 2012 Oslo Public Space: Inspire, Challenge, Empower’</li> <li>• Working group at the 2012 Fundamental Rights Platform</li> <li>• Numerous meetings with stakeholders at other FRA events, such as the Management Board and Scientific Committee</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Publication of two research reports (plus one in easy-to-read format), one factsheet, one summary report</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of references to the final report in policy/opinion papers published by FRA’s main stakeholders</li> <li>• Number of invited presentations (dissemination of research results)</li> <li>• Number of shorter papers/ <i>ad hoc</i> requests following the publication of the main study</li> <li>• Number of downloads from the FRA website</li> <li>• Number of copies requested in relation to the estimated size of the target group/ audience</li> <li>• Participation rate in the meetings on mental health with key FRA stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• 15 Direct references to project work for Fundamental rights of persons with intellectual disabilities and persons with mental health problems</li> <li>• 13 presentations of findings (see above)</li> </ul> <p><i>Involuntary placement and involuntary treatment of persons with mental health problems</i></p> <ul style="list-style-type: none"> <li>• Number of downloads (main report): 799</li> <li>• Number of downloads (factsheet): 5017</li> <li>• Number of hard copies received by stakeholders: 2,900</li> </ul> <p><i>Choice and Control: the right to independent living</i></p> <ul style="list-style-type: none"> <li>• Number of downloads (main report): 4,730</li> <li>• Number of downloads (summary report): 208</li> <li>• Number of downloads (easy-to-read format): 222</li> <li>• Number of hard copies received by stakeholders: 1,878</li> </ul> <p><i>FRA models of disability postcard</i></p> <ul style="list-style-type: none"> <li>• Number of hard copies received by stakeholders: 1,287</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Conference on autonomy and inclusion for people with disabilities in cooperation with the Danish Ministry of Social Affairs and Integration and the Danish Institute for Human Rights</i></li> </ul>	<ul style="list-style-type: none"> <li>• Target number of participants: 110</li> </ul>	<ul style="list-style-type: none"> <li>• Number of participants: 118</li> <li>• Preparation and distribution of a conference flyer</li> <li>• Development of two videos (one teaser video for the Copenhagen conference, one longer video presenting project findings)</li> </ul>

### ➤ Multiple and intersectional discrimination on grounds of gender, age and ethnicity in the EU

The field research included interviews with different groups of migrants in each of the countries concerned. Field-work related activities were conducted in five countries. The research for the project was completed in December 2011 and, in the same month, a contract was signed for two follow-up stakeholder meetings to take place in February 2012 with one meeting on legal aspects of multiple discrimination and the other on healthcare. Factsheets on the project were produced in five languages.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Publication of factsheet in 16 EU languages</i></li> <li>• <i>Publication of findings factsheet in 16 EU languages</i></li> <li>• <i>Publication of a final report</i></li> <li>• <i>Publication of easy-to-read versions of the report</i></li> <li>• <i>Publication of launch related material, including press release and media memo</i></li> <li>• <i>FRA, the European Centre for Disease Prevention and Control and the European Monitoring Centre for Drugs and Drug Control joint mission to Greece</i></li> <li>• <i>Contribution to European Commission documents and evaluations</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of references</li> <li>• Number of FRA references</li> <li>• Number of downloads from the FRA website as well as the number of copies requested in relation to the estimated size of the target group/audience</li> </ul>	<ul style="list-style-type: none"> <li>• Number of references: 7</li> <li>• Number of downloads: 4,501</li> <li>• Number of contributions to European Commission documents: 2 (Evaluation of 2009 Solidarity in health Communication; Evaluation of Employment Framework Directive and Race Equality Directive)</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Findings presented at events</i></li> <li>• <i>Meetings with stakeholders</i></li> <li>• <i>Meetings organised by FRA where the issue of Multiple discrimination in healthcare issue was addressed</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of meetings and events where the results were presented</li> <li>• Participation rate in the meetings with selected key stakeholders</li> <li>• Request by stakeholders to act as experts in their projects</li> <li>• Number of meetings organised by FRA</li> </ul>	<ul style="list-style-type: none"> <li>• Number of meetings where the findings were presented: 8, including the United Nations Economic Commission for Europe forum on Aging (Vienna, 20 September 2012), International Union for Health promotion and Education conference (Tallinn, 27–29 September 2012); and the 15th EU Health Forum in Gastein (3–6 October 2012)</li> <li>• Approximate participation rate in the meetings where the project was presented: most of the meetings had between 100 and 400 participants</li> <li>• FRA expert received 2 requests to act as an expert by DG Sanco (in Equi health project and in HiV high level conference)</li> <li>• Number of meetings organised by FRA where the issue of Multiple discrimination was addressed: 3 meetings (2 stakeholder meetings and Fundamental Rights Platform had Multiple discrimination as its thematic focus) (3–6 October 2012)</li> </ul>

➤ **Activities on the situation of Roma and Travellers**

➤ **Pilot Roma Survey – follow up**

The Roma pilot survey was carried out in 11 EU Member States, namely: Bulgaria, the Czech Republic, France, Greece, Hungary, Italy, Poland, Portugal, Romania, Slovakia and Spain. The survey was conducted in close cooperation with a parallel and complementary survey carried out by the United Nations Development Programme (UNDP) and the World Bank funded by the European Commission and the Nordic Trust Fund. The FRA survey interviewed 16,648 individuals, providing information for 62,511 household members. In addition, 288 representatives of local authorities were interviewed in-depth in order to contextualise the findings of the survey and to gain a deeper understanding of the issues.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Survey results at a glance</i></li> <li>• <i>Factsheet</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the data collected and the analyses provided</li> <li>• Required participation in stakeholder events</li> <li>• Timely delivery of the deliverables and</li> <li>• Number of downloads from the FRA website</li> <li>• Number of copies requested in relation to the estimated size of the target group/audience</li> <li>• Number of references</li> </ul>	<ul style="list-style-type: none"> <li>• The findings of the FRA Roma Pilot survey were used as evidence by the European Commission in its <i>Communication on National Roma Integration Strategies: a first step in the implementation of the EU Framework</i></li> <li>• FRA staff actively participated in approximately 30 stakeholder events regarding Roma issues</li> <li>• Publication of the survey results on the same time with the adoption of the European Commission in its Communication on 'National Roma Integration Strategies: a first step in the implementation of the EU Framework'.</li> <li>• Number of downloads (Survey results at a glance): 6,669</li> <li>• Number of downloads (factsheet): 9,173</li> <li>• Number of reports disseminated: 1,996</li> <li>• Number of references: 32</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Working party meetings</i></li> </ul>	<ul style="list-style-type: none"> <li>• Target number of participants (2 events): 49</li> <li>• Success of consultation with stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Number of participants: 47</li> </ul>

➤ **Surveying lesbian, gay, bisexual and transgender (LGBT) persons and authorities**

Following up on its 2011 preparatory work, FRA continued to carry out a survey on discrimination and victimisation of LGBT persons in all EU Member States. This survey was supplemented by qualitative research in order to examine the views and experiences of public authorities and other duty bearers on LGBT-related issues, including support to victims of discrimination and hate crime.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Targeted communication materials</i></li> <li>• <i>Participation in events</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the data collected and the analyses provided</li> <li>• Number of downloads from the FRA website</li> <li>• Number of copies requested in relation to the estimated size of the target group/audience</li> <li>• Relevance to the subject of the meetings, based on the participants' feedback</li> <li>• Participation rate in meetings with stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Number of respondents to online survey: 93,079</li> <li>• Number of references: 45</li> <li>• FRA carried out networking activities with civil society LGBT organisations and networks and organise meetings with law enforcement, relevant Union agencies and bodies (European Police College, Cefpol; EU law enforcement agency, Europol), and local government authorities in order to get their input and develop policy and action-oriented outcomes</li> </ul>

➤ **Children with disabilities: experiences of discrimination, integration and hate crime**

The project aims at collecting, reviewing and providing a clear picture of the existing evidence on the issue of violence and hostility targeting children with disabilities and the available redress mechanisms in the EU available at EU institutions and Member States.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Meetings with stakeholders</i></li> <li>• <i>Feasibility report for full-scale research</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the data collected and the analyses provided</li> <li>• Required participation in stakeholder events</li> <li>• Timely delivery of the deliverables</li> </ul>	<ul style="list-style-type: none"> <li>• Expert meeting with 12 experts to discuss the scope of the research, its methodology and other similar research experiences</li> <li>• Guidelines for <i>ad hoc</i> research covering all 27 EU Member States and Croatia sent and contracts signed</li> <li>• Fieldwork guidelines for interview-based research in 12 EU Member States and Croatia sent and contracts signed. The EU Member States chosen for the fieldwork component were identified after consultation with relevant national and European disabled persons organisations</li> <li>• Intensive cooperation and engagement with relevant stakeholders (World Health Organization (WHO), Council of Europe, as well as academics working in the field)</li> </ul>

➤ **Disability Indicators**

In conjunction with FRA's overarching work on fundamental rights indicators, the project examined existing work in the area of disability indicators and planned future work by identifying data gaps and proposing future data collection activities. The project continues into 2013 and will act as a framework for FRA work on equality indicators. The specific focus in 2013 will be on the development of indicators on the political participation of persons with disabilities.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Mapping of existing work in the area of disability indicators</i></li> </ul>	<ul style="list-style-type: none"> <li>• Consultation and coordination with other relevant actors and stakeholders</li> <li>• Examination of existing indicators</li> </ul>	<ul style="list-style-type: none"> <li>• Intensive cooperation and engagement with relevant stakeholders (European Commission, ANED, WHO, World Bank, Washington Group, NHRIs, as well as academics working in the field)</li> <li>• Identification of on-going or existing surveys/ data sets which include information on disability</li> <li>• Identification of gaps in indicator development and proposals for future analysis of secondary data and primary data collection projects</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Development of Indicators on selected rights covered by UN CRPD, developed in close consultation with the European Commission</i></li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholders' assessment of the relevance of this project</li> <li>• Cooperation with relevant actors</li> </ul>	<ul style="list-style-type: none"> <li>• Cooperation with fundamental rights indicators team and input into forthcoming report</li> <li>• Intensive discussions with European Commission regarding areas of focus for future disability indicators</li> <li>• Preparation for development of indicators on the right to political participation of persons with disabilities</li> <li>• Presentation of FRA work on indicators to ANED general meeting, including European Commission representatives</li> </ul>

➤ **FRA opinion on proposed EU regulation on property consequences of registered partnerships**

The FRA delivered an opinion on 31 May on the proposed EU law on the property consequences of registered international partnerships, following a request from the European Parliament on 25 April 2012.

The proposed regulation (COM(2011) 127 final) does not offer civil partners the same choice as married couples over which national law applies. The FRA opinion concludes that the proposed law does not provide convincing reasons for denying registered partners a comparable choice as married couples. This runs a serious risk of violating the principle of equal treatment under EU law.



## The rights of the child, including the protection of children

### ➤ Children and justice

The children and justice project is situated within the Rights of the Child area of the FRA Multi-annual Framework and looks at the extent to which civil and criminal (as victims and witnesses) justice proceedings are child-friendly by identifying practices and procedures of child participation in judicial proceedings and assessing the application and impact of the Council of Europe Guidelines on Child-friendly Justice. This is to be achieved through qualitative social fieldwork research in 10 EU Member States including group consultations, semi-structured interviews and focus group discussions with both legal and social professionals working with children in the civil and criminal justice fields in 2012 and consultations and interviews with children in 2013 and 2014.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Preparation, launch and implementation of fieldwork for children and justice project 2012</li> </ul>	<ul style="list-style-type: none"> <li>Successful completion of fieldwork</li> <li>Relevance of the information and the analyses provided to the specific objectives</li> <li>Number of references</li> </ul>	<ul style="list-style-type: none"> <li>Qualitative interviews with more than 500 professionals working with children who are involved in judicial proceedings such as judges, lawyers, social workers and psychologists</li> <li>FRA indicators in the field of family law on webpage</li> <li>Input to annual report 2012</li> <li>Distribution of project information to stakeholders and at meetings</li> <li>Number of references: 53</li> </ul>
<ul style="list-style-type: none"> <li>Research and preliminary findings promoted within European institutions</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of FRA research and findings for European institutions</li> </ul>	<ul style="list-style-type: none"> <li>Presentation at Expert meeting on monitoring children's rights in Europe organised by Council of Europe</li> <li>Participation in Annual Conference of European Network for Ombudspersons for Children</li> <li>Participation in Steering Group Meetings of European Commission project on 'Children's involvement in judicial proceedings'</li> <li>Presentation at plenary meeting of the Council of Europe Network of National Training Institutes for Judges and Prosecutors (Lisbon Network)</li> </ul>
<ul style="list-style-type: none"> <li>FRA in-house input to different stakeholder groups on child-friendly justice</li> </ul>	<ul style="list-style-type: none"> <li>Success of consultation with stakeholders</li> <li>Member of Steering Group on European Commission project on 'Children's involvement in judicial proceedings'</li> <li>Advice to national stakeholders and professional associations</li> </ul>	<ul style="list-style-type: none"> <li>Input to indicator development of children's involvement in judicial proceedings as committed by Children Rights Unit of the European Commission</li> <li>Input to development of training modules on child-friendly justice via Lisbon Network of National Training Institutes for Judges and Prosecutors</li> <li>Input to country visits by director</li> <li>Responses to inquiries from civil society organisations</li> <li>Presentation and discussion at workshop at the Fundamental Rights Platform</li> </ul>
<ul style="list-style-type: none"> <li>FRA in-house input to different stakeholder groups on child participation in research</li> </ul>	<ul style="list-style-type: none"> <li>Success of consultation with stakeholders</li> <li>Member of experts' group on developing a self-assessment tool on the participation of children by Council of Europe</li> <li>Member of Technical Working Group on Data Collection on Violence against Children as part of the Child Protection and Monitoring and Evaluation Reference Group (MERG), UNICEF</li> </ul>	<ul style="list-style-type: none"> <li>Input to indicator development on child participation by Council of Europe</li> <li>Input to final report on inventory and assessment of violence against children studies developed by United Nations Children's fund (UNICEF) as part of the Technical Working Group</li> <li>Input to data collection and dissemination of compilation of child helpline data by Child Helpline International</li> </ul>

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Desk research and in-house analysis of international and national legal requirements and ethical codes of conduct of child participation and procedures of informed consent and ethical approval</li> </ul>	<ul style="list-style-type: none"> <li>Mainstreaming of child participation in FRA research</li> <li>Relevance of FRA research and findings for European and international institutions</li> </ul>	<ul style="list-style-type: none"> <li>Guidelines on conducting research with children in FRA</li> <li>Country summaries on national procedures of informed consent and ethical approval</li> <li>Input to final report on <i>Ethical Principles, Dilemmas and Risks in Collecting Data on Violence against Children</i>, launched October 2012 by UNICEF as part of the Technical Working Group</li> </ul>
<ul style="list-style-type: none"> <li>Awareness raising</li> </ul>	<ul style="list-style-type: none"> <li>Dissemination</li> </ul>	<ul style="list-style-type: none"> <li>Dissemination of translated versions of Council of Europe guidelines on child-friendly justice to professionals interviewed as well as key actors to disseminate further in seven countries of research</li> </ul>
<ul style="list-style-type: none"> <li>Preparation of fieldwork research for the children and justice project 2013 involving children</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of research</li> <li>Quality, feasibility and appropriateness of research methodologies</li> </ul>	<ul style="list-style-type: none"> <li>Literature review of empirical studies and methodologies on child participation in research available on IntraFRA</li> <li>Revisions of research instruments</li> <li>Finalisation of technical specifications</li> <li>Interviews with professionals about feasibility of involving children in FRA research on child-friendly justice</li> </ul>
<ul style="list-style-type: none"> <li>Stakeholders meetings</li> </ul>	<ul style="list-style-type: none"> <li>Impact of experts consultation rounds (virtual and two meetings)</li> <li>Stakeholders' perception of the relevance of this work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>Presentations at FRA and non-FRA events with 15-25 participants in different workshops and conference meetings</li> <li>On 12 October, FRA hosted an expert meeting on child participation in research in preparation for the children and justice project in 2013 and 2014, which will involve children in the fieldwork research. The meeting covered issues including ethical principles, involving children in the research process, researcher training, age and maturity-specific methodologies and balancing protection and participation of children in research.</li> </ul>

### ➤ Guardianship provisions for child victims of trafficking

In the 2012 *EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016* (COM(2012) 286 final), the European Commission asked for FRA support to “develop a best practice model on the role of guardians and/or representatives of child victims of trafficking”. This project aimed at implementing this request by updating parts of the report on *Child Trafficking in the European Union – Challenges, perspectives and good practices* which FRA published in July 2009. More specifically, FRA will review guardianship systems in place in the 27 EU Member States and Croatia with a view to identifying promising practices.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Publication of comparative report highlighting existing promising practices</li> </ul>	<ul style="list-style-type: none"> <li>FRA report expected in 2013 and to be used by the European Commission in the implementation of the anti-trafficking strategy</li> </ul>	

## Access to efficient and independent justice

### ➤ Accessing efficient and independent justice

In 2011, the results of a legal analysis were finalised and published. The analysis examined obstacles and promising practices as regards treatment of non-discrimination cases through the court system and also with respect to bodies that are not court-based in EU Member States and at EU and international level. The fieldwork was successfully completed and the findings were published in 2012. Given the focus of the research, equality bodies have been consulted from the outset of the project to help define its scope and approach.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Stakeholder Meeting Report</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses provided to the specific objectives</li> <li>Feedback from stakeholders on the relevance and utility of the outputs</li> </ul>	
<ul style="list-style-type: none"> <li>Publication of reports:</li> <li>Access to justice in cases of discrimination in the EU</li> <li>Publication of factsheet:</li> <li>Factsheet: Access to justice in cases of discrimination in the EU – Steps to further equality</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads and relevant website user statistics from the FRA website</li> <li>Number of copies disseminated</li> <li>References</li> </ul>	<ul style="list-style-type: none"> <li>The report on <i>Access to justice in cases of discrimination in the EU</i> was published in December 2012.</li> <li>Number of downloads: 570</li> <li>Number of references: 8</li> <li>A factsheet on access to justice in cases of discrimination in the EU was published in December 2012.</li> <li>Number of downloads: 204 (EN); 42 (DE);</li> </ul>
<ul style="list-style-type: none"> <li>Publication of reports:</li> <li>Handbook on the establishment and accreditation of National Human Rights Institutions in the European Union</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads and relevant website user statistics from the FRA website</li> <li>Number of copies disseminated</li> <li>References</li> </ul>	<ul style="list-style-type: none"> <li>The NHRI handbook was published in October 2012.</li> <li>Number of downloads: 777</li> <li>Number of references: 3</li> </ul>

## ➤ Gender-based violence against women: from childhood to adulthood

In 2012, the FRA survey on gender-based violence against women carried out face-to-face interviews with 42,000 women in the 27 EU Member States and Croatia based on a questionnaire developed by the FRA. The survey data set was delivered to FRA, along with other final project deliverables, in December 2012.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Survey fieldwork documents</li> <li>Final deliverables related to the survey fieldwork</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information provided to the specific objectives of the project</li> <li>Quality, timeliness and relevance of the project deliverables</li> </ul>	<ul style="list-style-type: none"> <li>Survey questionnaire and interviewer training materials finalised and translated for use in all 27 Member States and Croatia, including more than one language version per country, where necessary.</li> <li>Two train-the-trainers seminars held, followed by national interviewer training sessions, which involved in total 1,507 interviewers</li> <li>All final survey deliverables received, including the final technical report, the final results report, the executive summary, and the survey data set (42,000 interviews) and the codebook.</li> </ul>
<ul style="list-style-type: none"> <li>Information provided to key stakeholders concerning the progress of the survey</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses provided to the specific objectives</li> <li>Number of references made to the survey project</li> <li>Number of downloads of the project factsheet, including the translations uploaded to the FRA website in 2012 (in total 22 language versions)</li> </ul>	<ul style="list-style-type: none"> <li>Nine international meetings where information on the survey was communicated to stakeholders</li> <li>Number of references: 16</li> <li>Number of downloads: bg (159), cs (97), da (111), de (288), el (205), en (828), es (436), et (105), fi (128), fr (297), hr (118), hu (144), it (269), lt (147), lv (99), nl (173), pl (180), pt (143), ro (188), sk (164), sl (112), sv (158)</li> </ul>
<ul style="list-style-type: none"> <li>Coordination with EU Institutions and the European Institute for Gender Equality (EIGE)</li> </ul>		<ul style="list-style-type: none"> <li>On-going exchange with relevant EU Institutions and EIGE</li> </ul>

### ➤ Joined-up governance

The joined-up governance project seeks to pool knowledge and experience on effective multi-level cooperation in implementing fundamental rights related policies and measures across various government levels. The findings of the project are compiled in a toolkit for public officials at all levels and will be released online in 2013. The advice contained in this toolkit was compiled from the experience of hundreds of local, regional and national public officials in eight EU Member States (Belgium, Bulgaria, the Czech Republic, Italy, Netherlands, Spain, Sweden, and United Kingdom). In 2011, the FRA conducted research through focus group discussions and expert interviews at local, regional and national levels in five EU Member States. Participants and interviewees included: public officials; independent experts; civil society representatives; and individual beneficiaries of projects. To check the transferability of the advice given, in 2012 the toolkit was piloted and validated by project partners in the original five plus an additional three EU Member States, across a range of different fundamental rights issues.

The FRA also organised its regular annual dialogue with the EU Committee of the Regions on 'The economic crisis – obstacle or incubator for innovation in access to justice?'. FRA cooperation with the Committee of the Regions serves to engage all levels of governance in the protection and promotion of fundamental rights, and to sensitise local and regional authorities to fundamental rights issues throughout the EU.

#### Key activities in 2012

- Analysis of field research on integrated approaches to rights implementation in specific policy fields
- Development of draft toolkit on joined-up approaches to fundamental rights based on the field research
- Peer review of the draft toolkit through workshops and testing in selected EU Member States with a broader group of stakeholders, particularly from the local level, to promote and support the dissemination of good practices identified through the project
- Annual Dialogue with the Committee of the Regions

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Data analysis of field research</i></li> <li>• <i>Compilation of findings into draft toolkit on joined-up approaches to fundamental rights</i></li> <li>• <i>Peer review workshops in selected EU Member States</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided to the specific objectives</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>• Number of references: 9</li> <li>• Consistently high satisfaction of stakeholders with draft toolkit</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Annual Dialogue with Committee of the Regions held on 24 September 2012</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the meetings to the specific objectives, based on the participants' feedback</li> <li>• Participation rate in the meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Chair and members of the Committee of the Regions Civex commission participated in the Annual Dialogue</li> <li>• No formal evaluation done</li> </ul>

### ➤ Victim support services in the EU: an overview and assessment of victims' rights in practice<sup>2</sup>

This project stems from a 2010 European Commission request to assist their work on improving legislation and provisions for victims of crime, as linked with the Victims' Roadmap. The main objective of this project is to provide country-specific information and data on support services available to victims of crime, as well as on the views of practitioners in the field of victim support on the implementation of victims' rights.

<sup>2</sup> This project is based on the European Commission's request according to Art. 4 (1) (d) of the Council Regulation No. 168/2007.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Research and data analysis</i></li> <li>• <i>Data collection through Franet for report to be published in 2013 (see below for details)</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided to the specific objectives</li> </ul>	<ul style="list-style-type: none"> <li>• The Victim support services project factsheet was published in December 2012.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Publication of a preliminary factsheet: Victim support services in the EU: an overview and assessment of victims' rights in practice</i></li> <li>• <i>Preliminary drafting of report on generic Victim support provision in EU Member States and Croatia (to be published in 2013)</i></li> <li>• <i>An interactive web-based 'Map of gaps' of victim support provision in the EU, including promising practices, is also under consideration. This would be coordinated with resources available on the European e-Justice Portal</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of visits and downloads from the FRA website</li> </ul>	<ul style="list-style-type: none"> <li>• Number of downloads: 36</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Meetings with stakeholders</i></li> <li>• <i>Expert meeting on severe forms of labour exploitation, 26–27 November 2012 (kick-off meeting)</i></li> <li>• <i>Meeting reports</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the meetings to the specific objectives, based on the participants' feedback</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> <li>• Participation rate in the meetings with selected key stakeholders</li> <li>• Use by policy makers and others of the results of the survey</li> </ul>	<ul style="list-style-type: none"> <li>• Participants at the two-day meeting shared their knowledge and experience of the topic of labour exploitation and, in small working groups, helped to formulate questions for the questionnaires and interviews for the fieldwork phase of the research (planned for 2013)</li> </ul>

➤ **Existence and interpretation of the freedom to conduct a business<sup>3</sup>**

The freedom to conduct a business is a fundamental right contained in Article 16 of the Charter of Fundamental Rights of the European Union. The study will focus on where the difficulties ('bottlenecks') are for a European citizen to set up and conduct a business, also in a member state other than his/her own. It will consist of a 'mapping exercise' with respect to existing legislation and procedures that are in place in Member States with respect to opportunities and constraints to conduct a business. Specifically, the study will serve to highlight gaps in the freedom to conduct a business with respect to setting up and conducting a business.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Meetings with stakeholders</i></li> <li>• <i>Consultation meeting (with targeted stakeholders in Brussels) for the FRA project on Freedom to conduct business</i></li> <li>• <i>Research</i></li> <li>• <i>Preparation of a comparative report to be published in 2013</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided to the specific objectives</li> <li>• Relevance of the meetings to the specific objectives, based on the participants' feedback</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>• Annual Work Programme 2012 foresees work on Existence and interpretation of the freedom to conduct business (Article 16 of the EU Charter) to be conducted in-house during 2012 and Annual Work Programme 2013 sets aside funds for external research. The purpose of the mission was to conduct a number of consultation meetings with key stakeholders on the EU level.</li> <li>• FRA received valuable feedback at the meeting.</li> </ul>

3 This project is based on the European Commission's request according to Art. 4 (1). (d) of the Council Regulation No. 168/2007

➤ **FRA opinion on the confiscation of proceeds of crime**

In relation to the European Commission proposal for a Directive on the freezing and confiscation of proceeds of crime in the European Union, the European Parliament requested an opinion from FRA on the extent to which the proposal was in compliance with fundamental rights.

FRA issued its opinion on 4 December 2012. The FRA opinion looks into substantive provisions of the proposal, focusing on the introduction of non-conviction based confiscations, extended powers of confiscation and confiscation from a third party. It assesses these provisions in the light of the Charter of Fundamental Rights of the European Union and of international human rights standards.

**Cross-cutting projects or activities covering all MAF areas**

➤ **Fundamental rights indicators**

FRA took preliminary steps to set up a monitoring and evaluation system in compliance with its founding regulation. In particular, after agreeing on the performance measurement framework (containing desired results and their connections), FRA adopted a list of indicators that it will use to assess its performance. Activities aimed at elaborating the first FRA Performance Report, which will show each FRA thematic area’s contribution to achieving FRA objectives, will continue in 2013.

In 2012, the FRA evaluation policy was annexed to the Annual Work Programme 2012 and 2013. The document illustrates for the first time all initiatives FRA has taken in this area.

**Performance in 2012**

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Draft FRA Annual Performance Report</i></li> <li>• <i>Draft Monitoring and Evaluation System</i></li> <li>• <i>Performance Measurement Framework and indicators finalised</i></li> <li>• <i>FRA evaluation policy document annexed to Annual Work Programme</i></li> <li>• <i>Report and evidence necessary for closing the Internal Audit Service recommendation related to FRA indicators (No. 6) prepared</i></li> </ul>	<ul style="list-style-type: none"> <li>• No. of thematic areas covered for the preparation of the FRA Annual Performance Report 2012. Target value: 9</li> <li>• No. of projects monitored and evaluated for the preparation of the FRA annual activity report. Target value: 8</li> <li>• No. of stakeholders involved within the preparation of the FRA performance report. Target value: 45-70</li> </ul>	<ul style="list-style-type: none"> <li>• 9 thematic areas covered for the preparation of the FRA Annual Performance Report 2012</li> <li>• 8 projects monitored and evaluated for the preparation of the FRA annual activity report</li> <li>• 170 stakeholders involved within the preparation of the FRA performance report</li> <li>• Internal Audit Service recommendation No. 6 related to FRA indicators closed</li> <li>• FRA evaluation policy annexed to Annual Work Programmes from 2012 on</li> </ul>

➤ **Annual Report**

The agency has a legal obligation to present an annual report each year on the situation concerning fundamental rights in the EU. The annual report covering 2011 was presented on 20 June 2012 at the European Parliament Committee on Civil Liberties, Justice and Home Affairs. On 19 June 2012, the Director discussed the report at Council Working Group on Fundamental Rights.

The report relies on data collected from the field to describe the situation of fundamental rights in all 27 Member States. The FRA Annual Report provides important background information for the European Commission’s and the European Parliament’s annual reports regarding fundamental rights.





## Key activities in 2012

Data collection activities	Communication and awareness raising	Networking and education
<ul style="list-style-type: none"> <li>FRANET data collection</li> <li>In-house Desk research and analysis</li> <li>Wide consultation with key stakeholders, including the FRA Management Board, the Scientific Committee and the 27 National Liaison Officers.</li> </ul>	<ul style="list-style-type: none"> <li>Web publication</li> <li>Translation into FR and DE</li> <li>Media memo, media release</li> </ul>	<ul style="list-style-type: none"> <li>Presentation of the annual report at the European Parliament (Committee on Civil Liberties, Justice and Home Affairs)</li> <li>Presentation of the annual report at the Council of the EU (Working Group on Fundamental Rights)</li> </ul>

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>Data collection and analysis</li> </ul>	<ul style="list-style-type: none"> <li>Relevance of the information and the analyses provided to the specific objectives</li> </ul>	
<ul style="list-style-type: none"> <li>Annual Report on the situation concerning fundamental rights in the EU</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads from the FRA website</li> <li>Number of copies requested in relation to the estimated size of the target group/audience</li> <li>Number of copies disseminated</li> <li>Stakeholders' perception of the relevance of this work to their needs</li> <li>Number of references</li> </ul>	<ul style="list-style-type: none"> <li>Number of downloads (Annual Report): 5,544</li> <li>Number of downloads (summary report): 2,175</li> <li>Number of downloads (Annual activity report): 959</li> <li>Number of references: 25</li> <li>Number of copies disseminated:</li> <li>Annual report 2011: EN 1,098; FR 524</li> <li>Annual report Highlights 2011: EN 886; FR 424; DE 600</li> </ul>
<ul style="list-style-type: none"> <li>Consultation with civil society</li> </ul>	<ul style="list-style-type: none"> <li>Feedback received from the Fundamental Rights Platform</li> </ul>	<ul style="list-style-type: none"> <li>Positive feedback from participants of the Fundamental Rights Platform</li> </ul>

## ➤ Fundamental Rights Conference

The Fundamental Rights Conference is a high-level annual FRA event. The Fundamental Rights Conference brings together the key fundamental rights players in the EU to examine a specific fundamental rights issue, stimulating debate on challenges and exploring solutions. It gathers senior officials and experts from national governments, EU bodies, intergovernmental organisations, local authorities, civil society, specialised human rights bodies and many more.

The Fundamental Rights Conference themes are set in the context of current EU policy and legislative developments, the Stockholm Programme in particular, and are informed by FRA research. Previous Fundamental Rights Conferences focused on dignity and the rights of irregular migrants (2011), child-friendly justice (2010), rights of the most marginalised groups, particularly those vulnerable to discrimination and exclusion (2009) and freedom of expression (2008).

## Key activities in 2012

- On 6–7 December 2012, FRA hosted its annual Fundamental Rights Conference 'Justice in austerity: challenges and opportunities for access to justice' at the European Parliament in Brussels
- The conference was organised under the high patronage of the President of the European Parliament and in close cooperation with two European parliament committees: Civil Liberties, Justice and Home Affairs and Legal Affairs. The Cyprus Presidency of the Council of the European Union also supported this event
- It served as an opportunity to present existing FRA work in the field and to encourage a stimulating debate that could feed into future FRA projects. The FRA launched the *Access to Justice in cases of discrimination in the EU* report at the event
- FRA held an exhibit at the European Parliament, 26–30 November. Ahead of the Fundamental Rights Conference, FRA organised an exhibit showcasing its research in various areas and promoting the conference
- Highlights included two panel debates on data protection and hate crime with the participation of several Members of the European Parliament (MEPs) as well as one presentation on Roma issues given to members of the Roma community visiting the Parliament



## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Fundamental Rights Conference programme</i></li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholders' perception of the relevance of this work to their needs</li> <li>• Participation rate at the Fundamental Rights Conference (target – 300)</li> <li>• Number of viewers for the live-streaming of the conference</li> </ul>	<ul style="list-style-type: none"> <li>• 77 % considered the timing of this conference highly appropriate;</li> <li>• 69 % rated the conference as excellent or good</li> <li>• Number of participants: over 400, including a number of MEPs and European Parliament staff</li> <li>• Around 100 online viewers of the event.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Visibility of FRA at the event</i></li> </ul>	<ul style="list-style-type: none"> <li>• High level speakers attending the event</li> <li>• Number of FRA publications distributed during the event</li> </ul>	<ul style="list-style-type: none"> <li>• Around 50 policy makers and practitioners addressing the conference, among them Vice-President of the European Commission V. Reding, European Parliament President M.Schulz, UN High Commissioner for Human Rights N.Pillay, Council of Europe Commissioner for Human Rights N.Muižnieks, several ministers of Justice of the EU Member States, Members of the European Parliament and others</li> <li>• Over 1,500 FRA publications distributed at the event</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Conference communication material</i></li> </ul>	<ul style="list-style-type: none"> <li>• Conference video teaser – number of viewers online</li> <li>• Conference website – total number of individual viewers</li> </ul>	<ul style="list-style-type: none"> <li>• 695 viewers of the video teaser</li> <li>• Around 7,000 visits in the 3 months before the conference</li> <li>• On site tweeting and facebook campaign</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Conference summary conclusions</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of downloads</li> </ul>	<ul style="list-style-type: none"> <li>• To be published in 2013, therefore statistics not yet available</li> </ul>

## ➤ FRA Europe Day – symposium

Building on the experiences with the FRA symposium in 2010 and 2011, FRA also contributed on 9 May 2012 to Europe Day with a symposium at its premises in Vienna. This event was planned in close cooperation with and under the umbrella of Europe Day activities in Austria (by the European Commission representation and the Information Office of the European Parliament). The 2012 FRA Symposium focused on data protection: 'The EU data protection reform: new fundamental rights guarantees'.

## Key activities in 2012

- This is a symposium organised in-house in spring annually, which gathers FRA stakeholders for a discussion on key fundamental rights issues based on relevant FRA work
- FRA hosted the symposium and incorporated its outcome into the relevant stakeholder consultations

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Symposium event</i></li> <li>• <i>Symposium proceedings</i></li> <li>• <i>Other reports and related information material</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided</li> <li>• Target number of participants: 60</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>• Number of participants: 50</li> <li>• Of overall participants, 94 % assessed the event overall as 'good' or 'excellent'.</li> <li>• Publishing of mini website dedicated to the symposium</li> <li>• Number of downloads of symposium report: 578</li> <li>• 317 viewers of the teaser video.</li> </ul>

### ➤ Human rights education and remembrance

Within the European integration process, the focus on history and remembrance plays a significant role in the protection and promotion of fundamental rights. There is an evident and increasing need to deal with the various facets of European history, taking into account the diversity in these reflections. The story of the war and its aftermath is being told differently in European countries, with views on who is seen as a perpetrator and who as a victim starting to change. Local conflicts between different political directions in EU Member States, such as Greece and Hungary, produce internal rifts and put into question the national unity, which is often based on national myths. Extreme left and right wing political forces search for new scapegoats to retell the national story, often with strong anti-EU overtones. In light of this context, the question is how an EU-perspective on remembrance could be developed. By linking human rights education with remembrance, a step towards forming a European consciousness will be taken.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Examples of Good Practice</i></li> <li>• <i>HRE training and education materials</i></li> </ul>	<ul style="list-style-type: none"> <li>• Interdisciplinary and cross border networking at national level (e.g. education/media/research or art/education/museum), based on a specific project</li> <li>• Promotion of a European consciousness by acknowledging the diversity of historic reflections and by defining human rights education as a common denominator</li> </ul>	<ul style="list-style-type: none"> <li>• FRA, European Commission and the Danish Institute for International Studies organised a conference on 'Remembering for the future' to discuss which shape a European memory and European perspective on remembrance could take. The conference debates also examined whether it is something to strive for and which type of efforts are needed to give a meaning to the past and translate it into the present. The participants came from 20 different countries with a wide variety of backgrounds, ranging from those with practical work experience on memorial sites to representatives from academia and research institutions, as well as members of teachers' associations.</li> <li>• Building on the positive results of the multi-annual activities on 'Holocaust and human rights education (2006-2012)', a specific project proposal on 'Raising awareness of Human Rights Education' was introduced in FRA's AWP 2013 that blends several activities. A follow-up is envisaged in the draft AWP2014, which will focus on developing human rights training modules for public officials.</li> </ul>

### ➤ Human rights-based police training

Building on the key recommendations of the human rights education and training stakeholder consultation of 2010 and in line with the determination of key professional target groups in the FRA human rights education and training strategy, FRA built up a network of relevant actors over 2010–2011 (Cepol, AEPC, European Council of Police trade unions and NGOs).

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Training events</i></li> <li>• <i>Revision of police educational and training materials</i></li> </ul>	<ul style="list-style-type: none"> <li>• Development of a model for human rights-based police training</li> <li>• Assist police academies in the EU with practical tools</li> </ul>	<ul style="list-style-type: none"> <li>• Pilot training on the basis of a draft of the manual (see below) in cooperation with Cepol</li> <li>• Drafting of a fundamental rights-based police training manual (to be published in the second quarter of 2013)</li> </ul>

### ➤ Cooperating with stakeholders

As foreseen in its Founding Regulation, FRA cooperates and works with a variety of stakeholders at the EU and national level. The work with the EU institutions continued to be strengthened, particularly the work with the European Parliament, the Council of the European Union and the European Commission. The well-established links with NHRIs and equality bodies were further strengthened and links with Ombudsperson Institutions were built up. Dialogue and coordination with the European Group of NHRIs and with Equinet continued.

### Key activities in 2012

- NHRIs – FRA Annual Meeting – 18 April
- National equality bodies – FRA Annual Meeting – 16 October
- High level strategic meeting with national human rights bodies – 15 October
- Chair of the European Group of NHRIs meeting with FRA management team and FRA Project managers – 18 April
- Regular conference call with Equinet; regular conference calls with the Chair of the European Group of the NHRIs
- Linking relevant national human rights bodies’ activities with FRA projects
- Consultation-need assessment on FRA Annual Work Programme 2014 with national human rights bodies
- FRA participation in the ICC – European Group of NHRIs (March) and in several Equinet training seminars, and Working Groups of the European Group of NHRIs
- Joint Expert Conference of the FRA with the Federal Ministry of the Interior of Austria on Integration, Fundamental Rights and European Values

### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Thematic and cross-cutting stakeholder meetings</i></li> <li>• <i>Stakeholder consultations</i></li> <li>• <i>Meeting reports</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the contributions for stakeholders and event organisers</li> <li>• Relevance to the theme of the event</li> <li>• Target number of participants (2 events): 98</li> <li>• Media coverage</li> </ul>	<ul style="list-style-type: none"> <li>• Number of participants at NHRIs (34) and national equality bodies’ annual meetings (36)</li> <li>• Number of participants at the meeting between the Chair of the European Group of NHRIs and FRA project managers(18) and with the FRA management team (7)</li> <li>• Around 90 % of the participants assessed the event overall as ‘good’ or ‘excellent’ (and particular appreciation of the interactive and participatory methodology)</li> <li>• NHRIs and national equality bodies’ meetings reports were produced within one month. A ‘harvesting’ letter – that is a letter gathering the results of the meeting – for the NHRIs meeting was produced the same day.</li> <li>• Number of participants to the high level strategic meeting with national human rights bodies (15 October): 9. A harvesting letter for this meeting was produced the same day.</li> <li>• Regular conference call with Equinet (7) and the Chair of the European Group of NHRIs (10)</li> <li>• National human rights bodies were consulted for the needs assessment exercise of the Annual Work Programme 2014</li> </ul>

### ➤ Online communication and documentation

In 2012, the FRA website was completely redeveloped and was relaunched in September in three languages (EN, FR and DE). The new website includes a new content management system and other technology which makes it more user-friendly and interactive and enables the introduction of additional features. Relaunch feedback was extremely positive.

The Charterpedia was further developed into a mobile website for online browsing and two versions of a downloadable app (EU Charter) for Apple and Android devices. All versions are available in all official EU languages. FRA also updated and enhanced Charterpedia and the case law database.

Other online services continued to be developed, including the FRA pages on the key popular social networking sites – Facebook and Twitter – as well as the video-sharing site YouTube. The number of fans on Facebook rose to more than 6,600 by the year-end, while Twitter followers increased to over 2,600, making FRA a leading EU agency



in social media. These social media profiles, in combination with other tools such as the monthly e-newsletter, where subscriber numbers are also increasing, enabled FRA to address its stakeholders in an interactive manner.

FRA also further developed and implemented internal online tools, such as the online survey tool, contact database and FRA references database, showing how FRA work is used by stakeholders.

### Key activities in 2012

- Redevelopment and relaunch of the new multilingual FRA website
- Development and launch of multilingual EU Charter app and its mobile online version
- Social media tools (Facebook, Twitter, YouTube) grew in terms of number of fans/followers, greater use was made of them, such as live tweeting at events, increasing interactions
- The FRA Charterpedia was updated and maintained on an on-going basis
- The FRA case law database collected and classified decisions of the European Court of Justice and National Supreme and Constitutional Courts, with specific reference to the Charter of Fundamental Rights of the European Union
- Continued consulting with other European documentation centres and database providers on human rights issues as part of its gradual collection of fundamental rights information
- Continued development and running internal online tools (surveys, contact databases, FRA references database)

### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Development and relaunch of new multilingual FRA website</i></li> <li>• <i>Charterpedia, EU Charter app and online mobile version</i></li> <li>• <i>Further development of profiles on main social media platforms</i></li> <li>• <i>Other tools (surveys, contacts database, FRA references database)</i></li> </ul>	<ul style="list-style-type: none"> <li>• Feedback on new site</li> <li>• Overall website usage</li> <li>• Charter app downloads</li> <li>• Facebook fans</li> <li>• Twitter followers</li> <li>• Newsletter subscribers</li> </ul>	<ul style="list-style-type: none"> <li>• Very positive feedback received</li> <li>• Average 23,000 page views/day</li> <li>• 425 (from 21 November – 31 December 2012)</li> <li>• 6,641 Facebook fans (November 2012)</li> <li>• 2,627 Twitter followers (November 2012)</li> <li>• 4,067 Newsletter subscribers (November 2012)</li> </ul>

### ➤ Production and dissemination of communication products

Since 2011, production and dissemination activities are an integral part of the scientific editing team in the Equality and Citizens' Rights department. Production and dissemination concerns all FRA projects ensuring scientific editing, French and German language editing, production and dissemination of their output, as well as of those products that were issued in previous years. In 2012, a total of 35 FRA products and 177 language versions of these (for details see 'Outputs' below) were produced. For a detailed overview of publications issued in 2012, see 'FRA publications in 2012'.

### Key activities in 2012

- Scientific and language editing of all research and awareness raising products
- Production and dissemination of all FRA products

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>13 research reports (incl. conference summaries/reports) and 23 language versions of these</li> <li>2 Annual reports and 3 language versions</li> <li>1 Annual report Summary 'Highlights' and 3 language versions</li> <li>3 FRA Opinions</li> <li>11 Factsheets and 118 language versions</li> <li>Various FRA awareness publications: 5 and 31 language versions</li> </ul>	<ul style="list-style-type: none"> <li>Number of copies disseminated</li> </ul>	<ul style="list-style-type: none"> <li>See dissemination figures for each project; dissemination figures cover print publications only.</li> <li>Some 77,056 printed FRA publications were disseminated in 2012, including 16,925 copies of the FRA S'Cool Agenda 2012-2013.</li> <li>The highest dissemination rate was in the third quarter of 2012, followed by the fourth, first and second quarter.</li> <li>Irrespective of the title, the most requested language was English at 38,786 copies, followed by French at 14,259 copies and German at 14, 138 copies.</li> </ul>

## ➤ Information about FRA research and awareness raising

According to Article 4 (h) of its Founding Regulation, FRA must "raise public awareness of fundamental rights". The Preamble of the Regulation stipulates in (15): "The Agency should take measures to raise the awareness of the general public about their fundamental rights, and about possibilities and different mechanisms for enforcing them in general, without, however, dealing itself with individual complaints." The Founding Regulation further asks the FRA to "provide information about its work".

## Key activities in 2012

- Translation in various languages of information and awareness-raising material and FRA media material
- FRA ensured promotional material was available for different target groups at numerous FRA conferences, stakeholder meetings and other events in 2012, and for the FRA Info Point as well as for other occasions
- FRA developed additional product templates that effectively met stakeholder communication needs
- FRA established a visitor groups programme, a public information inbox and provided information stands at selected events

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li><i>FRA information and awareness-raising material in various languages</i></li> <li><i>FRA media material in various languages (press releases) and press clipping service</i></li> <li><i>Other communication activities (info-inbox, visitor groups programme, promotional material)</i></li> <li><i>Information stands at selected events</i></li> </ul>	<ul style="list-style-type: none"> <li>Relevance and effectiveness of public information products, based on feedback from target groups</li> <li>Number of FRA mentions in the media</li> <li>Number of visitors</li> </ul>	<ul style="list-style-type: none"> <li>Monthly e-newsletter (EN, DE, FR) and weekly email alert (EN, FR). Demand for new subscriptions was high. Demand for S'cool Agenda (BG, EN, DE, FR, IT and RO) was very high, excellent feedback from cooperation partners and pupils.</li> <li>Number of downloads (FRA booklet and easy read): 10,304</li> <li>Reprint of FRA circle of rights (EN, DE, FR).</li> <li>Branding at all FRA events.</li> <li>12 press releases and 4 media memos (21 languages)</li> <li>Weekly (internal) press clipping service.</li> <li>Number of FRA mentions in the media: 136</li> <li>5 media diversity training courses organised, excellent feedback</li> <li>Info-inbox: an average of 175 queries answered per month.</li> <li>A total of 445 visitors (refers only to general public and NGOs visits – high-level visits and expert visits not included), feedback forms indicate high satisfaction rates</li> <li>Promotional material: produced Christmas Cards, business cards, lanyards, roll ups, posters and mouse pads.</li> <li>Information stands: 7 (Fundamental Rights Platform, presidency seminar, disability conference, holocaust conference, Fundamental Rights Conference, German Ministry of Justice, Austrian national day)</li> </ul>

### ➤ Complementary and *ad hoc* research and data collection activities

Research work is carried out under specific project headings. The appropriations here are intended to cover deliverables on issues or events, which arise during the current financial year, for example responses to requests by stakeholders, responses to unforeseen events, additional data or information required by research projects that could not have been foreseen, additional data and information for the annual report or *ad hoc* expert meetings. Therefore, the amount allocated is temporarily placed under the operational reserves.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Reports in different formats</i></li> </ul>	<ul style="list-style-type: none"> <li>• Relevance of the information and the analyses provided to the specific objectives</li> <li>• Number of downloads from the FRA website</li> <li>• The number of copies requested in relation to the estimated size of the target group/audience</li> <li>• Number of copies disseminated</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> </ul>	

### Operational reserves

#### ➤ Monitoring and evaluation

Under its work to set up a monitoring and evaluation system in compliance with its founding regulation, FRA took all preliminary steps for building it up. In particular, after agreeing on the performance measurement framework (containing desired results and their connections), FRA adopted the list of indicators which will be used for assessing its performance. Planned activities aimed at elaborating the first FRA Performance Report, which will contain the contribution each FRA thematic area has given for achieving the FRA's objectives, will continue in 2013.

In 2012, the FRA evaluation policy was annexed to the Annual Work Programme 2012 and 2013. The document illustrates for the first time all initiatives FRA has taken in the relevant area.

#### Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Draft FRA Annual Performance Report</i></li> <li>• <i>Draft Monitoring and Evaluation System</i></li> <li>• <i>Performance Measurement Framework and indicators finalised</i></li> <li>• <i>FRA evaluation policy document annexed to the Annual Work Programme</i></li> <li>• <i>Report and evidence necessary for closing the IAS recommendation related to FRA indicators (No. 6) prepared</i></li> </ul>	<ul style="list-style-type: none"> <li>• No. of thematic areas covered for the preparation of the FRA Annual Performance Report 2012. Target value: 9</li> <li>• No. of projects monitored and evaluated for the preparation of the FRA annual activity report. Target value: 8</li> <li>• No. of stakeholders involved within the preparation of the FRA performance report. Target value: 45-70</li> </ul>	<ul style="list-style-type: none"> <li>• 9 thematic areas covered for the preparation of the FRA Annual Performance Report 2012</li> <li>• 8 projects monitored and evaluated for the preparation of the FRA Annual Activity Report</li> <li>• 170 stakeholders involved within the preparation of the FRA performance report</li> <li>• IAS recommendation No. 6 related to FRA indicators closed</li> <li>• FRA evaluation policy annexed to Annual Work Programmes from 2012 on</li> </ul>

### FRA bodies and consultation mechanisms

#### ➤ FRA bodies

This activity concerns the organisation of Management Board meetings, Executive Board Meetings, Scientific Committee meetings and meetings of MB members in working groups. It also includes the translation and interpretation costs associated with all FRA activities and products.

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Management Board Meetings</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of meetings, target value 2. Expected number of attendants, target 34 persons per meeting</li> </ul>	<ul style="list-style-type: none"> <li>• 3 meetings with total participants per meeting as follows: 31/33/35</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Executive Board Meetings</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of meetings, target value 4. Expected number of attendants, target 6 persons per meeting</li> </ul>	<ul style="list-style-type: none"> <li>• 4 meetings with total participants per meeting as follows: 6/8/8/8</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Scientific Committee Meetings</i></li> </ul>	<ul style="list-style-type: none"> <li>• Number of meetings, target value 4. Expected number of attendants target 11 persons per meeting</li> </ul>	<ul style="list-style-type: none"> <li>• 4 meetings with total participants per meeting as follows: 6/9/10/6</li> </ul>

### ➤ Consultation mechanism – National Liaison Officers

The EU Member States are key stakeholders in the work of the agency. FRA provides assistance and expertise to Member States on fundamental rights issues. To do so, it works together with Member States to improve the promotion and protection of fundamental rights both at the national and local level. In addition, much of FRA products and activities potentially impact on the work of national administrations. It is therefore of great importance to FRA to engage with representatives of Member States to ensure that their needs are taken into account, where relevant and appropriate, and to build partnerships with Member States to contribute to policy making and service delivery that is human rights based. To achieve this, FRA works closely with the representatives of national administrations who act as National Liaison Officers. They also deliver opinions and feedback on FRA work.

### Key activities in 2012

- Meeting with the National Liaison Officers and other communication activities

## Performance in 2012

Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Meeting Reports</i></li> <li>• <i>Improved coordination and communication between FRA and the national administrations</i></li> <li>• <i>Timely feedback with regard to FRA's work programme and other products and activities</i></li> </ul>	<ul style="list-style-type: none"> <li>• Participation rate in the meetings</li> <li>• Timely organisation of the meeting and distribution of the meeting materials</li> <li>• Stakeholders feedback on the usefulness and relevance of the meetings</li> <li>• Stakeholders' perception of the relevance of their input into the various FRA processes, such as the annual work programme</li> </ul>	<ul style="list-style-type: none"> <li>• Participation rate in the meetings: 98.8 %</li> <li>• Overall quality of the meeting from 18 respondents out of 27: 100 % rated the overall meeting as good or excellent</li> <li>• External evaluation results (forthcoming)</li> </ul>

### ➤ Consultation mechanism – Fundamental Rights Platform

FRA cooperates closely with non-governmental organisations and with institutions of civil society active in the field of fundamental rights at national, European or international level. To facilitate this cooperation, FRA established a cooperation network – the Fundamental Rights Platform – composed of non-governmental organisations dealing with human rights, trade unions and employers' organisations, relevant social and professional organisations, churches, religious, philosophical and non-confessional organisations, universities and other qualified experts of European and international bodies and organisations.

In 2012, FRA consolidated work with the civil society organisations' component of the Fundamental Rights Platform. It further improved the regulatory tasks of consulting the Fundamental Rights Platform on the Annual Work Programme and the annual report, resulting in an increased participation rate. FRA project managers also provided feedback to contributing organisations. Other EU agencies, specifically Frontex and EASO, requested FRA expertise in the establishment of their Consultative Forums. The annual meeting continued to offer a unique opportunity for diverse fundamental rights organisations to meet and exchange ideas, and as an arena for innovative interactive and participatory methodologies (the Floor is Yours, thematic workshops) This time for the first time the meeting brought together NHRIs with civil society organisations, which was highly appreciated. Fundamental Rights Programme organisations



evaluated the elections of the new Advisory Panel as impeccable. The newly introduced director's nomination of three members by the Director ensured balance and high quality. The expansion of the Fundamental Rights Platform was launched towards Croatian organisations, organisations involved in FRA projects and new civil society organisations. FRA also initiated a renewal of organisations that have participated since 2010 and will be finalised in 2013. FRA finalised a paper illustrating the various modalities of civil society organisations' cooperation and engagement in FRA projects and initiated personalised assistance to projects which will be further developed in 2013.







### Key activities in 2012

- 6<sup>th</sup> Annual Meeting of the Fundamental Rights Platform
- Fundamental Rights Platform consultation on the FRA annual report and Annual Work Programme presentation by Fundamental Rights Platform Advisory Panel member given to the Management Board meeting in May
- Preparation of a paper on 'modes of cooperation between civil society organisations/ Fundamental Rights Platform and FRA
- Expansion of the Fundamental Rights Platform to organisations that are project partners in FRA work; launched open call to Croatian civil society organisations as observers; launched the 3rd open call for participation; and launched renewal of participation for Fundamental Rights Platform organisations who joined in 2008
- A risk assessment was conducted in cooperation with colleagues of the Quality Unit of Administration
- Revision of the Code of Conduct for participants and adoption of the 'Internal procedures for dealing with applications to the Fundamental Rights Platform' resulting in increased transparency and clarity in the rules governing participation in the Fundamental Rights Platform
- Election of the 3rd Advisory Panel of the Fundamental Rights Platform and two meetings of the Advisory Panel (conference call June) and meeting (November)
- Input provided to the establishment of Frontex Consultative Forum and EASO Consultative Forum
- e-Platform revision, testing and further development








### Performance in 2012








Outputs	Indicators	Results
<ul style="list-style-type: none"> <li>• <i>Fundamental Rights Platform Meeting Report</i></li> <li>• <i>Fundamental Rights Platform report on suggestions for the FRA Work Programme</i></li> <li>• <i>Fundamental Rights Platform feedback on the FRA Annual Report</i></li> <li>• <i>Variety of civil society information, reports and products to inform the FRA's work</i></li> </ul>	<ul style="list-style-type: none"> <li>• Participation rate in the meetings organised by the Agency</li> <li>• Relevance to the subject of the meeting, based on the participants' feedback</li> <li>• Stakeholders' perception of the relevance of this work to their needs</li> </ul>	<ul style="list-style-type: none"> <li>• Number of participants at 5<sup>th</sup> <i>Fundamental Rights Platform Annual Meeting</i> around 175</li> <li>• Presentation by Fundamental Rights Platform Advisory Panel member given to the Management Board meeting in May</li> <li>• Almost 100 % of the participants assessed the event overall as 'good' or 'excellent' (and particular appreciation of the interactive and participatory methodology)</li> <li>• Annual Meeting and Advisory Panel meeting reports were produced within one month. A harvesting letter for the 5<sup>th</sup> Fundamental Rights Platform meeting was produced and circulated the same day</li> <li>• Two Advisory Panel Meetings (one conference call and one meeting): participation rate in the Advisory Panel meetings organised by the Agency: 100 %</li> <li>• Around 60 Fundamental Rights Platform organisations contributed to the consultation on the FRA Annual Work Programme</li> <li>• Around 70 Fundamental Rights Platform organisations contributed to the consultation on the FRA Annual Report. Feedback by FRA project managers was sent to Fundamental Rights Platform organisations on how their input was taken into account.</li> <li>• Visibility of FRA's work increased</li> </ul>

## FRA publications 2012







	FRA products	Short description	Languages (available in 2013)
<b>2012</b>			
	<b>Access to justice in cases of discrimination in the EU – Steps to further equality</b> December 2012	The principle of non-discrimination is firmly established in European Union (EU) legislation and includes provisions relating to access to justice. This report examines the process of seeking redress in cases of discrimination. It provides a detailed analysis of what the EU Member State bodies that deal with cases of discrimination do to support possible victims of discrimination and to offer them redress. It examines the factors obstructing effective remedies, such as the complexity of the complaints system, which discourage people from bringing cases and reinforce victims' feelings of helplessness.	en (de - fr)
	<b>Factsheet: Access to justice in cases of discrimination in the EU – Steps to further equality</b> December 2012	This factsheet provides an overview of the policy context and key issues from the FRA report on <i>Access to justice in cases of discrimination in the EU – Steps to further equality</i> . It briefly explains the methodology of the study and outlines some of the enhancements which would improve access to justice regarding structures, procedures and support.	en - fr - de (bg - cs - da - et - el - es - hr - hu - it - lv - lt - nl - pl - pt - ro - sk - sl - fi - sv)
	<b>Factsheet: Victim support services in the EU: an overview and assessment of victims' rights in practice</b> December 2012	This factsheet highlights the recent legislative developments at EU level, including the EU <i>Roadmap for strengthening the rights and protection of victims of crime</i> . At the same time, work to promote the rights of victims is still ongoing. Key concerns with regard to the rights of victims of crime include the role of the victim in criminal proceedings and the victim's access to criminal justice systems. A core component in meeting the rights and needs of victims is the provision of adequate victim support services throughout the EU.	en (de - fr)
	<b>FRA opinion on the confiscation of proceeds of crime</b> December 2012	In relation to the European Commission proposal for a Directive on the freezing and confiscation of proceeds of crime in the European Union, the European Parliament requested advice from FRA on the extent to which confiscation of proceeds of crime could go without breaching fundamental rights. The FRA Opinion looks into substantive provisions of the proposal, focusing on the introduction of non-conviction based confiscations, extended powers of confiscation and confiscation from a third party. It assesses these provisions in the light of the EU Charter of Fundamental rights and of international human rights standards.	en
	<b>Making hate crime visible in the European Union: acknowledging victims' rights</b> November 2012	Discrimination and intolerance persist in the European Union (EU) despite the best efforts of Member States to root them out, FRA research shows. Verbal abuse, physical attacks and murders motivated by prejudice target EU society in all its diversity, from visible minorities to those with disabilities. Those who commit such 'hate crimes' – a loose term for this troubling reality – are drawn from across society; their crimes cause incalculable damage to victims, families and society as a whole, making it ever more urgent to consider how best to respond. This FRA report is designed to help the EU and its Member States to tackle these fundamental rights violations both by making them more visible and bringing perpetrators to account.	en (de - fr)
	<b>EU-MIDIS – Data in Focus 6: Minorities as Victims of Crime</b> November 2012	The EU-MIDIS Data in Focus report 6 presents data on respondents' experiences of victimisation across five types of crime, from theft to serious harassment. The report shows that every fourth person (24 %) of the 23,500 respondents to the EU-MIDIS survey – the first EU-wide survey to specifically sample ethnic minority and immigrant groups on their perception of racially or ethnically motivated crime – said they had been a victim of crime at least once in the 12 months preceding the survey.	en (de - fr)








	FRA products	Short description	Languages (available in 2013)
	<b>Factsheet: Hate crime in the European Union</b> November 2012	This factsheet discusses the key issues related to hate crime in the European Union identified by the two FRA reports <i>Making hate crime visible in the European Union: acknowledging victims' rights</i> and <i>EU-MIDIS Data in Focus 6: Minorities as victims of crime</i> . It presents ways forward for the EU and its Member States to tackle hate crime and address related fundamental rights violations.	en - bg - cs - da - de - et - el - es - fr - hu - it - lv - nl - pl - pt - ro - sk - sl - fi - sv (hr - lt)
	<b>Handbook on the establishment and accreditation of National Human Rights Institutions in the European Union</b> October 2012	National Human Rights Institutions (NHRIs) protect and promote human rights at the national level, tackling systemic problems and raising fundamental rights awareness. To equip NHRIs to perform their role well, they should have, among other qualities, independence, powers and a broad mandate, in accordance with the so-called 'Paris Principles' which were adopted by the United Nations General Assembly in 1993 and set forth the primary minimum standards for an effective NHRI. A 10-page Annex on the establishment and accreditation of National Human Rights Institutions in the European Union accompanies the handbook.	en
	<b>Conference paper: Bringing the Charter to life - opportunities and challenges</b> October 2012	This report highlights the main points from the Copenhagen seminar on 'Bringing the Charter to life' on 15-16 March 2012, organised by the Danish Presidency of the Council of the EU and the FRA. It focuses on EU and national opportunities and challenges, and the work of law and policy makers, complaints mechanisms, specialised human rights bodies and civil society organisations. The text boxes highlight key elements of the discussions, which include suggestions for future actions and references to FRA activities. The programme together with the introductions of all the speakers and the list of participants is annexed to this report. The keynote speeches are available on the FRA website.	en
	<b>FRA opinion on proposed EU data protection reform package</b> October 2012	This FRA opinion builds in particular on opinions published by the EDPS and the A29 WP which focus on data protection. It complements these by examining other relevant Charter rights. It focuses mainly on fundamental rights other than data protection, since the abovementioned opinions have thoroughly addressed this fundamental right. The FRA opinion looks at both the draft regulation and directive as part of one single data protection 'reform package'.	en (fr - de)
	<b>Factsheet: Data Protection reform package - FRA Opinion</b> October 2012	Data protection is an issue that affects a number of fundamental rights contained in the Charter of Fundamental Rights of the European Union. This factsheet outlines the considerations included in the FRA opinion. It looks at the fundamental rights implications of the proposed 'reform package' in relation to: freedom of expression and information; freedom to conduct a business; rights of the child; access to documents; non-discrimination; and access to justice.	en - fr - de
	<b>Conference paper: FRA Symposium report - European Union data protection reform: new fundamental rights guarantees</b> July 2012	The 2012 Symposium of the European Union Agency for Fundamental Rights (FRA) focused on the fundamental rights dimension of the data protection reform package, which the European Commission proposed on 25 January 2012. The symposium brought together about 50 key experts from national government agencies and specialised bodies, international and non-governmental organisations, data protection authorities, universities and companies. They discussed how and to what extent the data protection reform package is likely to impact on the fundamental rights guaranteed by the Charter of Fundamental Rights of the European Union (EU).	en

	FRA products	Short description	Languages (available in 2013)
	<b>Awareness raising material: S'cool Agenda 2012-2013</b> July 2012	This is the fifth edition of the FRA S'cool Agenda. The S'cool Agenda seeks to raise awareness about fundamental rights among 12-to-18-years-olds.	bg - de - en - fr - it - ro
	<b>FRA Annual Report 2011 – Fundamental rights: challenges and achievements in 2011 Full report</b> June 2012	The FRA annual report chronicles the positive developments made in 2011 as well as the challenges facing the EU and its Member States in the field of fundamental rights, drawing on objective, reliable and comparable socio-legal data. It examines progress on EU and Member State rights obligations under the EU Charter of Fundamental Rights, covering the following topics: asylum, immigration and integration; border control and visa policy; information society and data protection; the rights of the child and protection of children; equality and non-discrimination; racism and ethnic discrimination; participation of EU citizens in the Union's democratic functioning; access to efficient and independent justice; and rights of crime victims.	en - fr (de)
	<b>FRA Annual Report 2011 – Fundamental rights: challenges and achievements in 2011 Highlights</b> June 2012	The FRA Annual Report Highlights put the spotlight on selected key legal and policy developments of the 2011 Annual report of the European Union Agency for Fundamental Rights (FRA).	en - fr - de
	<b>Focus: Bringing rights to life: The fundamental rights landscape of the European Union</b> June 2012	An intricate web of national, Council of Europe, European Union (EU) and international institutions has arisen to secure and safeguard the fundamental rights of everyone in the EU. The fundamental rights landscape evolved further in 2011 with the complex interplay among multiple protective layers increasingly taking centre stage. In light of this, the UN Regional Office for Europe recommended that all these various institutions enhance their cooperation to minimise the risk of gaps in fundamental rights protection. Meeting this challenge is essential to making fundamental rights a reality in the daily lives of all those who live in the EU.	en - fr (de)
	<b>Annual activity report 2011</b> June 2012	The FRA Annual activity report provides an account of the activities and achievements of the FRA in 2011.	en - fr
	<b>Antisemitism: Summary overview of the situation in the European Union 2001-2011</b> June 2012	The update assembles statistical data covering the period 1 January 2001–31 December 2011 on antisemitic incidents collected by supranational, governmental and non-governmental sources. Notable antisemitic incidents that occurred in 2011 are highlighted throughout the report to reveal the reality behind the figures. The update shows that antisemitism remains a problem for civil society as a whole and for Jewish populations in particular across the EU.	en
	<b>Involuntary placement and involuntary treatment of persons with mental health problems</b> June 2012	Involuntary placement and involuntary treatment of persons with mental health problems affects the most fundamental of rights, including the right to liberty and the right to freedom from torture. Strict safeguards at United Nations and European level attempt to limit undue interference with such rights. This report analyses the shifting legal panorama and, informed by fieldwork in nine EU Member States on the actual experiences of those involuntarily placed and treated and other stakeholders, points to the need for a renewed discussion of compulsory placement and treatment in the EU.	en - fr - de



	FRA products	Short description	Languages (available in 2013)
	<b>Factsheet: Involuntary placement and involuntary treatment of persons with mental health problems</b> June 2012	This factsheet presents the key challenges identified by the FRA report on <i>Involuntary placement and involuntary treatment of persons with mental health problems</i> . Mental health problems are experienced by about one in 10 European Union (EU) citizens. Many seek help voluntarily, but some may be placed in institutions or treated without their consent. This might affect their fundamental rights.	en - bg - da - de - el - fr - hu - lv - ro - sv
	<b>Choice and control: the right to independent living</b> June 2012	Article 19 of the United Nations Convention on the Rights of Persons with Disabilities establishes the right to live independently and be included in the community. Drawing on the findings of interview-based research with persons with mental health problems and persons with intellectual disabilities, this report examines how they experience the principles of autonomy, inclusion and participation in their day-to-day lives.	en (fr - de)
	<b>Summary report: Choice and control: the right to independent living</b> June 2012	This summary report presents the key findings identified in the FRA report on <i>Choice and control: the right to independent living</i> . The results show that although much has been done, more efforts are needed to ensure that persons with mental health problems and persons with intellectual disabilities have more choice and control over their lives and are included in the community on an equal basis with others.	en - da (el)
	<b>FRA opinion on proposed EU regulation on property consequences of registered partnerships</b> June 2012	The FRA delivered an opinion on the proposed EU law on the property consequences of registered international partnerships, following a request from European Parliament on 25 April 2012. The proposed regulation (COM(2011) 127 final) does not offer civil partners the same choice as married couples over which national law applies. The FRA opinion concludes that the proposed law does not provide convincing reasons for denying registered partners a comparable choice as would be offered to married couples. This runs a serious risk of violating the principle of equal treatment under EU law.	en
	<b>The situation of Roma in 11 EU Member States – Survey results at a glance</b> May 2012	Roma – Europe’s largest minority of 10-12 million people – continue to experience discrimination and social exclusion; and they are not sufficiently aware of their rights guaranteed by EU law, such as the Racial Equality Directive. This report presents the first results of the FRA Roma pilot survey and the UNDP/World Bank/European Commission regional Roma survey carried out in 2011.	en (fr - de)
	<b>Factsheet: The situation of Roma in 11 EU Member States – Survey results at a glance</b> May 2012	This factsheet presents the first results of the FRA Roma pilot survey and the UNDP/World Bank/European Commission regional Roma survey carried out in 2011. The results presented are based on an analysis of only part of the available data.	en - bg - cs - da - de - en - et - el - es - fr - hr - it - lv - lt - hu - nl - pl - pt - ro - sk - sl - fi - sv - Romani
	<b>Factsheet: Gender-based violence against women – an EU-wide survey</b> April 2012	A key aspect of women’s well-being and safety is their exposure to gender-based violence. Violence against women is both an aspect of discrimination and a human rights violation. The FRA survey will fill the gap by interviewing 40,000 women across the 27 EU Member States – and the candidate country Croatia – collecting data on the extent, frequency and severity of violence against women in the EU, including data on women’s access to and experience of police, healthcare and victim support services.	bg - cs - da - de - en - et - el - es - fr - hr - it - lv - lt - hu - nl - pl - pt - ro - sk - sl - fi - sv



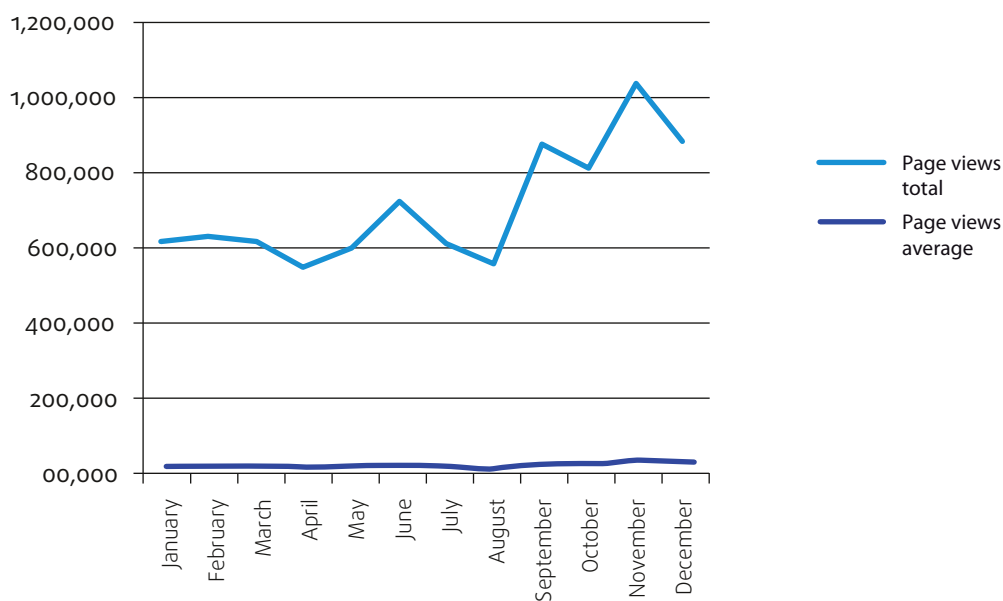
	FRA products	Short description	Languages (available in 2013)
	<b>Factsheet: FRA survey of Jewish people's experiences and perceptions of antisemitism</b> March 2012	The existing data in EU Member States on the nature, extent and the effects of antisemitism on Jewish people are patchy and not comparable, as the FRA has highlighted over the years in its annual updates on antisemitism. This factsheet provides background information about the FRA survey among Jewish populations in selected EU Member States focusing on Jewish people's experiences and perceptions of antisemitism.	en - fr - de
	<b>Factsheet: Charterpedia - Overview of the state of protection of fundamental rights</b> March 2012	The Charterpedia is an online tool published by the FRA which allows users to access information about fundamental rights in the EU and its Member States. It is structured around the Charter of Fundamental Rights of the EU, making navigation through the information easy and user-friendly. Charterpedia is a compilation of international, EU and national constitutional law in the area of fundamental rights, linked to titles and articles of the Charter.	en
	<b>Factsheet: Inequalities and multiple discrimination in healthcare</b> February 2012	The factsheet on FRA's project on 'Inequalities and multiple discrimination in healthcare' sketches out the policy context and respective legal framework in the EU, as well as the project's objectives. These include: identifying barriers and experiences of discrimination that prevent access to healthcare services for people at higher risk of exclusion; mapping policies in EU Member States to improve health services for such people; and determine ways through which health professionals can address the needs of such people.	en - fr - de - cs - it - sv new language versions: bg - da - et - es - hr - lv - lt - hu - nl - pl - pt - ro - sk - sl - fi
	<b>FRA Booklet: Who we are, what we do, how we do it</b> February 2012	To mark five years since the agency was established, the FRA is publishing a new easy-to-understand booklet that explains "who we are, what we do and how we do it".	bg - cs - da - de - en - et - el - es - fr - hr - it - lv - lt - hu - nl - pl - pt - ro - sk - sl - fi - sv
	<b>The Racial Equality Directive: application and challenges</b> January 2012	The Racial Equality Directive (2000/43/EC) is the key piece of EU legislation for combating discrimination on the grounds of racial or ethnic origin and for giving effect to the principle of equal treatment. The present report discusses the application of the Racial Equality Directive through the laws and practices in the 27 EU Member States. In doing so, it explores the challenges to the effective realisation of the directive's goals and in conclusion discusses how such obstacles might be overcome.	en - de - fr
	<b>Factsheet: Combating racial discrimination</b> January 2012	The Racial Equality Directive, adopted in 2002, has brought about the introduction of new or the strengthening of existing legal frameworks. Although significant progress has been made towards the realisation of racial and ethnic equality, several challenges remain to be overcome.	bg - cs - da - de - en - et - el - es - fr - hr - it - lv - lt - hu - nl - pl - pt - ro - sk - sl - fi - sv

	FRA products	Short description	New language versions
<b>New available language versions</b>			
	<b>Fundamental rights of migrants in an irregular situation in the European Union</b> November 2011	Securing the fundamental rights of migrants in an irregular situation – those who do not fulfil conditions for entry, stay or residence in a European Union (EU) Member State – remains a challenge. This FRA report examines the legal and practical challenges facing EU Member States as they strive to guarantee such migrants' fundamental rights and proposes ways to incorporate those rights into the policies, laws and administrative practices that affect migrants in irregular situations.	de - fr
	<b>Migrants in an irregular situation: access to healthcare in 10 European Union Member States</b> October 2011	This FRA's report documents the legal, economic and practical obstacles that migrants in an irregular situation face in accessing healthcare in 10 EU Member States and proposes a number of ways to improve this access. The FRA found in particular that the risk of detection and deportation prevents migrants in an irregular situation from seeking healthcare, even in those countries where it is legally available, and suggests, among other improvements, disconnecting healthcare from immigration control policies.	de - fr - pl - sv
	<b>Migrants in an irregular situation employed in domestic work: Fundamental rights challenges for the European Union and its Member State</b> July 2011	This report is the result of a project by the FRA on the situation of migrants in an irregular situation in the EU. It is the first of two thematic reports which complements a comprehensive overview of the fundamental rights situation of migrants in an irregular situation in the EU's 27 Member States.	en (re-edition) de - fr
	<b>Access to justice in Europe: an overview of challenges and opportunities</b> March 2011	This report provides an EU-wide comparative analysis of the effectiveness of access to justice across the EU Member States. Launched on 23 March at the conference 'Protecting victims in the EU: the road ahead' hosted in Budapest by the Hungarian Presidency of the Council of the EU with the support of the FRA, the report emphasises the obstacles that make it difficult for victims to enforce their rights.	de - fr
	<b>EU-MIDIS - Data in Focus 5: Multiple discrimination</b> February 2011	The findings of the EU-MIDIS survey show that people belonging to 'visible' minorities, such as Roma and people of African origin, are more likely to suffer multiple discrimination - that is, being discriminated on more than one ground- than other minorities. Another relevant ground for discrimination that could increase the experience of multiple discrimination are socio-economic factors such as living with a low income.	de - fr
	<b>Detention of third-country nationals in return procedures</b> November 2010	The Fundamental Rights Agency (FRA) examined law and practice in the 27 EU Member States on the deprivation of liberty of irregular migrants pending their removal against the applicable international human rights law framework.	de
	<b>The impact of the Racial Equality Directive - Views of trade unions and employers in the European Union Comparative overview</b> October 2011	This report constitutes one part of FRA's interdisciplinary research on the impact of the Racial Equality Directive. The present report focuses on the views of Europe's employer organisations, trade unions and non-governmental organisations (NGOs) concerning the application of the directive in practice, with a sole focus on the area of employment.	de - fr



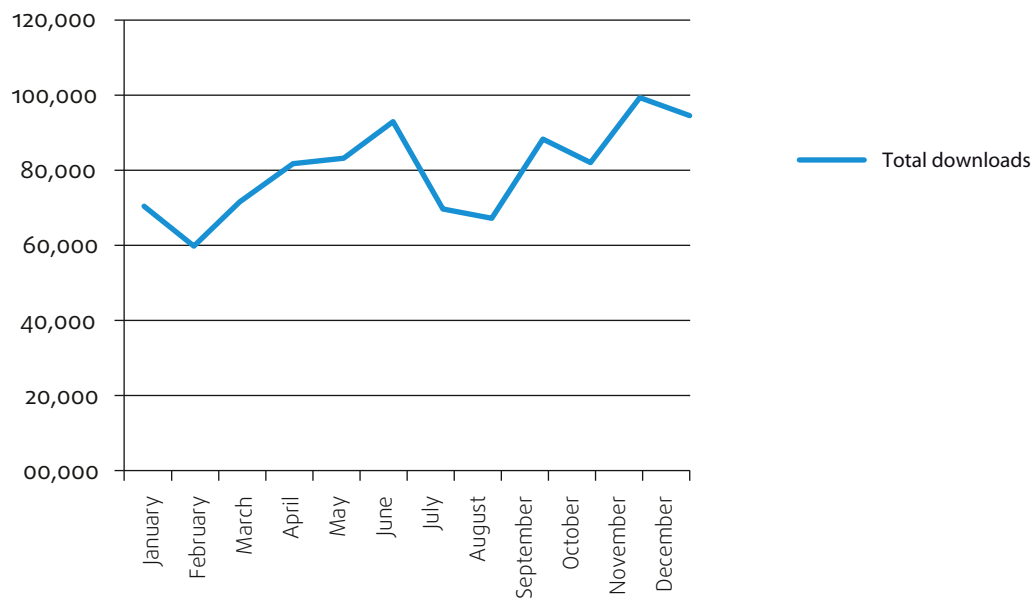
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